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Washington, Tuesday, February 6, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10210

AUTHORIZING THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF COMMERCE TO EXERCISE THE FUNCTIONS AND POWERS SET FORTH IN TITLE II OF THE FIRST WAR POWERS ACT, 1941, AS AMENDED BY THE ACT OF JANUARY 12, 1951, AND PRESCRIBING REGULATIONS FOR THE EXERCISE OF SUCH FUNCTIONS AND POWERS

By virtue of the authority vested in me by the First War Powers Act, 1941, as amended by the act of January 12, 1951, entitled "An Act To amend and extend title II of the First War Powers Act, 1941" (Public Law 921, 81st Congress), hereinafter called the Act, and as President of the United States and Commander in Chief of the armed forces of the United States, and deeming that such action will facilitate the national defense, it is hereby ordered as follows:

PART I

Under such regulations, which shall be uniform to the extent practicable, as may be prescribed or approved by the Secretary of Defense:

1. The Department of Defense is authorized, within the limits of the amounts appropriated and the contract authorization provided therefor, to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made, and to make advance, progress, and other payments thereon, without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts.

2. The Secretaries of Defense, the Army, the Navy, and the Air Force may exercise the authority herein conferred and, in their discretion and by their direction may delegate such authority to any other military or civilian officers or officials of their respective departments, and may confer upon any such military or civilian officers or officials the power to make further delegations of such authority within their respective departments.

3. The contracts hereby authorized to be made include agreements of all kinds (whether in the form of letters of intent, purchase orders, or otherwise) for all types and kinds of things and services necessary, appropriate or convenient for the national defense, or for the invention, development, or production of, or research concerning any such things, including, but not limited to, aircraft, buildings, vessels, arms, armament, equipment, or supplies of any kind, or any portion thereof, including plans, spare parts and equipment therefor, materials, supplies, facilities, utilities, machinery, machine tools, and any other equipment without any restriction of any kind, either as to type, character, location, or form.

4. The Department of Defense may by agreement modify or amend or settle claims under contracts heretofore or hereafter made, may make advance, progress, and other payments upon such contracts of any percentum of the contract price, and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort, including accrued liquidated damages or liability under surety or other bonds, whenever, in the judgment of the Secretaries of Defense, the Army, the Navy, or the Air Force, respectively, or their duly authorized representatives, the national defense will be thereby facilitated. Amendments and modifications of contracts may be with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished hereunder, irrespective of the time or circumstances of the making, or the form, of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights which may have accrued under the contract or the amendments or modifications thereof.

5. Advertising, competitive bidding, and bid, payment, performance or other bonds or other forms of security need not be required.

6. Complete data shall be maintained by the Department of Defense as to all contracts and purchases made pursuant to the Act and this order. The Secretaries of Defense, the Army, the Navy, and the Air Force shall make available for public inspection so much of such data as they may respectively deem compatible with the public interest and as does not cover classified contracts or purchases.

7. There shall be no discrimination in any act performed hereunder against any person on the ground of race, creed,

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THE PRESIDENT

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

color or national origin, and all contracts hereunder shall contain a provision that the contractor and any subcontractors thereunder shall not so discriminate.

8. No claim against the United States arising under any purchase or contract made under the authority of the Act and this order shall be assigned except in accordance with the Assignment of Claims Act of 1940 (54 Stat. 1029).

9. Advance payments shall be made hereunder only after careful scrutiny to determine that such payments will promote the national defense.

10. Every contract entered into, amended, or modified pursuant to this order shall contain a warranty by the contractor in substantially the following terms:

The Contractor warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to deduct from the contract price or consideration the full amount of such commission, percentage, brokerage, or contingent fee.

11. All contracts entered into, amended, or modified pursuant to authority of this order shall include a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall have access to and the right to examine any pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of and involving transactions related to such contracts or subcontracts.

12. Nothing herein shall be construed to authorize the cost-plus-a-percentage-of-cost system of contracting.

13. Nothing herein shall be construed to authorize any contracts in violation of existing law relating to limitation of profits, or the payment of a fee in excess of such limitation as may be specifically set forth in the act appropriating the funds or granting the contract authorization obligated by a contract. In the absence of such limitation, the fixed fee to be paid the contractor as a result of any cost-plus-a-fixed-fee contract entered into under the authority of this order shall not exceed 10 percentum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of Defense, the Army, the Navy, or the Air Force at the time of entering into such contract (except that a fee not in excess of 15 percentum of such estimated cost is authorized in any such contract for experimental, developmental, or research work, and that a fee inclusive of the contractor's costs and not in excess of 6 percentum of the estimated cost, exclusive of fees, as determined by the Secretary of Defense, the Army, the Navy, or the Air Force at the time of entering into the contract, of the project to which such fee is applicable, is authorized in contracts for architectural or engineering services relating to any public works or utility project).

14. No contract or modification or amendment thereof shall be exempt from the provisions of the Walsh-Healey Act (49 Stat. 2036), as amended, because of being entered into without advertising or competitive bidding, and the provisions of such act, the Davis-Bacon Act (49 Stat. 1011), as amended, the Copeland Act (48 Stat. 948), as amended, and the Eight Hour Law (37 Stat. 137), as amended, if otherwise applicable shall apply to contracts made and performed under the authority of this order.

15. Nothing herein contained shall prejudice anything heretofore done under Executive Order No. 9001 of December 27, 1941, or any amendments or extensions thereof, or the continuance in force of an action heretofore taken under the said order or any amendments or extensions thereof.

16. Nothing herein contained shall prejudice any authority to utilize the provisions of the Armed Services Procurement Act of 1947 (62 Stat. 26) and regulations thereunder.

PART II

The provisions of Part I of this order are hereby extended to the Department of Commerce; and, subject to the limitations and regulations contained in such part, and under such regulations as he may prescribe, the Secretary of Commerce is authorized to perform and exercise, as to the Department of Commerce, all the functions and authority vested in and granted by Part I of this order to the Secretaries named therein: *Provided*, That the regulations of the Secretary of Commerce need not be approved by the Secretary of Defense but shall, to the extent practicable, be uniform with the regulations prescribed or approved by the Secretary of Defense pursuant to Part I hereof: *And provided further*, That nothing contained herein shall prejudice any other authority which the Department of Commerce or the Secretary of Commerce may have with respect to procurement.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 2, 1951.

[F. R. Doc. 51-1898; Filed, Feb. 2, 1951; 3:02 p. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 730—RICE

TERMINATION OF ACREAGE ALLOTMENTS FOR 1951 CROP

§ 730.201a *Basis and purpose.* This regulation is issued to announce the termination of 1951 national, State and county rice acreage allotments (15 F. R. 8673) and of farm acreage allotments determined under regulations applicable to the 1951 crop of rice issued December 19, 1950 (15 F. R. 9181). Such termination is based upon section 371 (b) of the Agricultural Adjustment Act of 1938, as amended.

Section 371 (b) of the act authorizes the Secretary to increase or terminate the national marketing quota or national acreage allotment for any basic agricultural commodity if he finds, after appropriate investigation, that such action is necessary to effectuate the declared policy of the act, or to meet a national emergency or increase in export demand for the commodity.

Pursuant to section 371 (b) of the act, an investigation has been made to determine whether acreage allotments should be continued in effect for the 1951 crop of rice. On the basis of that investigation, it is hereby found and determined that it is necessary, in order to effectuate the declared policy of the act and to meet the present national emergency in food production, to terminate all acreage allotments for the 1951 crop of rice. Such termination is made effective by this revision of § 730.202.

In order to provide for the required increase in rice production to meet the present emergency and to make certain that farmers have ample time to readjust their plans for planting rice for the 1951 crop, it is hereby found and determined that compliance with the notice and public procedure provisions of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and contrary to the public interest.

§ 730.202 *1951 national, State, county and farm acreage allotments for rice.* The national acreage allotment for the 1951 crop is hereby terminated. Accordingly, no State, county or farm acreage allotments shall be in effect for the 1951 rice crop.

(Sec. 375, 52 Stat. 66, as amended, 7 U. S. C. 1375. Interpret or apply sec. 371, 52 Stat. 64, as amended; 7 U. S. C. 1371)

Issued at Washington, D. C., this 1st day of February 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-1856; Filed, Feb. 5, 1951; 8:58 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 13]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

FLIGHT AND NAVIGATIONAL INSTRUMENTS

The following policies are hereby adopted:

§ 4b.612-1 *Automatic pilot systems (CAA policies which apply to § 4b.612 (d)).* Recent advances in the design of automatic pilot systems (automatic flight control system) together with their use in newer type aircraft, both at higher speeds and in conjunction with navigation aids, have made it necessary that a more thorough investigation be made of their function and operation in order that the safety level of air carrier operation be maintained.

To preclude hazardous conditions which may result from any failure or malfunctioning of the automatic pilot system, or its inadvertent use by the human pilot, the following conditions should be investigated by flight tests:

(a) A signal or combination of signals about all axes simulating maximum failure or malfunction should be induced into the automatic pilot system during all regimes of flight appropriate to its use (straight cruising flight and maneuvering flight). If corrective action is taken three seconds after the signal is induced, neither the simulated failure nor the subsequent corrective action resulting therefrom should create loads beyond an envelope of 0 to 2 "g," or speeds beyond V_{NE}, or dangerous deviations from the flight path, or loads greater than those prescribed in § 4b.612 (d) (4).

(b) The automatic pilot system, including altitude control and coordinated turn control if installed, should be able to perform its intended function throughout all maneuvers appropriate to its type. All such maneuvers should be accomplished smoothly and without inadvertently placing loads on the aircraft greater than those called out in paragraph (a) of this section.

(c) If the automatic pilot system is used in conjunction with an automatic approach coupler it should be able to perform its intended function and the following should apply:

(1) Throughout an approach no signal or combination of signals simulating maximum failure or malfunction in the automatic pilot system should produce hazardous deviations in the flight path or any degree of loss of control if corrective action is initiated one second after inducing the failure.

(2) An engine failure during such an approach should not result in rapid deviations of the airplane from the flight path.

(3) A positive means should be provided to indicate to the human pilot when the automatic pilot system has been uncoupled from the automatic approach coupler.

(d) If an automatic trim follow-up system is used, it should be so designed and adjusted that a maximum failure signal to the trim system will not create a hazardous condition.

(e) The provisions of paragraphs (a), (b), (c) (1), and (d) of this section, may be met by the use of an automatic disconnect if the pilot is provided with positive means to indicate when the automatic pilot system has been uncoupled from the airplane flight controls by the automatic disconnect.

(f) The automatic pilot system should not be subject to reactions that would produce spurious control signals due to variations in the automatic pilot system power source or induced signals produced by other electrical systems.

(g) The automatic pilot system should be so designed and adjusted that the servo stall force used during flight tests can be maintained in operation without excessive periods of adjustments. (This may be accompilshed by flight testing throughout an envelope of servo stall forces.)

(h) Sufficient limitations and operating procedures should be entered in the Airplane Flight Manual to insure the proper use and safety of the automatic pilot system.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 553)

These policies shall become effective upon publication in the FEDERAL REGISTER.

L. C. ELLIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-1792; Filed, Feb. 5, 1951; 8:46 a. m.]

[Supp. 14]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

AIRPLANE FLIGHT MANUAL

The following policies are hereby adopted:

§ 4b.740-1 *Preparation of airplane flight manuals for aircraft certificated in the transport category (CAA policies which apply to § 4b.740).* The primary purpose of the manual is to provide for the crew who will operate the airplane any information concerning the airplane considered by the Civil Aeronautics Administration essential to or likely to promote safety during such operation. This will ordinarily require a certain amount of descriptive material concerning those parts of the airplane directly operated or otherwise used by the crew, an understanding by them of the nature, location, and functioning of which is therefore essential. The manual should also contain, in order to serve this pur-

pose, a description and chronological outline of the procedure to be followed by the crew during various phases of the operation both "normal" and "emergency" in which special attention and emphasis should be given to any precaution which should be observed therein in the interest of safety.

Another important purpose of the manual is to implement the operating requirements of §§ 41.27, 42.70, and 61.213 of this chapter; i. e., to furnish a source for all the airplane information necessary to establish the limitations specified by those requirements as well as that necessary to enable the crew readily to operate the airplane within the limitations so established. This purpose requires the inclusion in the manual of all operating limitations peculiar to the airplane under any circumstances likely to be encountered during its life as well as information concerning each of the items of performance involved by §§ 41.27, 42.70, and 61.213 of this chapter as functions of weight, altitude, outside air temperature, wind velocity, flap setting, etc., throughout the range of these variables for which it is desired by the applicant to provide; the point being that the scheduled operation of the airplane by an air carrier will be limited to values of all such variables within the range(s) covered by information available in the manual. This situation requires that the applicant consider the extent to which he wishes to limit the usefulness of the airplane subsequent to its certification as a type.

It may be noted, concerning the material to be included in the manual, that two types are involved. The first of these is the operating limitations which are, in effect, a partial statement of the terms upon which the airworthiness certificate is issued. Compliance with these operating limitations is therefore required by law (see section 610 (a) of the Civil Aeronautics Act of 1938 and § 4b.738 (d). The second type of material is the performance information, recommended operating procedures, and loading instructions, the observance or use of which is not legally required of the operator of the airplane by this part, but may be required by §§ 41.27, 42.70, or 61.213 of this chapter. This second type of material is intended to convey information believed likely to promote or contribute to safety in operation.

The following outlines an acceptable arrangement of the Airplane Flight Manual. This policy does not affect the status of manuals which already have final approval. However, whenever such manuals are revised for other reasons, it is recommended that the terminology of this policy be incorporated wherever it will increase clarity and uniformity. It should be noted that not all the items outlined below for inclusion in the document for a given airplane, and the Civil Aeronautics Administration is desirous of holding the document to the smallest practicable amount of material as it is believed that the usefulness of the manual will bear some inverse relation to its physical bulk and to the extent of its complexity. It is, therefore, strongly recommended that great care be taken to prepare it in the simplest, most compact form consistent with the completeness and clarity of presentation of the necessary information. Also it is suggested that consideration be given to the likelihood of revisions and the manner in and ease with which this may be accomplished. Only the material (listed below) required by this part should be included in the Civil Aeronautics Administration approved portion of the manual. However, if desired, the manufacturer or operator may add other data in a distinctly separate section in the same cover. The portion of the material (outlined below) that is to be approved by the Civil Aeronautics Administration must be so marked, and clearly separated from any other material so that no one could easily err in regard to the part that is approved. The aircraft specification for the type will list the manual as an item of required equipment and the manual must be made available upon request to any CAA agent issuing an original airworthiness certificate under the type certificate in order that he may verify that the manual furnished with that individual airplane conforms with the approval manual. Since the manual is necessary for safe operation of the airplane, the manual is considered to be public information.

There is no objection to air carrier operators incorporating the subject manual in their own Operations Manual which is assigned to individual crew members in lieu of carrying two separate manuals provided the manual which is furnished by the air carrier includes a separate and properly identified chapter which contains the manufacturer's issue of the CAA Approved Airplane Flight Manual or a satisfactory reproduction identical in both form and contents. The Airplane Flight Manual or its equivalent may, in lieu of individual identification by serial or N numbers, contain a list of the airplane to which the manual is applicable. Such manuals may be installed in the aircraft or be issued to members of the flight crew. Regardless of the procedure in effect, it is the air carrier operator's responsibility to establish a satisfactory system whereby an up-to-date copy of the appropriate manual for the particular airplane is readily available to the flight crew during the operation of the airplane. Inasmuch as the subject manual constitutes a required item of equipment, it is the responsibility of the assigned Air Carrier Maintenance Agent to ascertain that an appropriate and up-to-date copy, or its equivalent, is available to the crew at all times during flight.

The page size for the Airplane Flight Manual will be left to the decision of the manufacturer, although it is believed that an 8" x 10½" size will probably be found most convenient and this size is recommended. A cover should be provided and it should indicate the nature of the contents with the following title: "Airplane Flight Manual." Each page of the approved portion should bear the notation "CAA Approved" and the date of issuance. The material should be bound in a semi-permanent fashion so that the pages will not be lost easily, yet should be so bound that revised pages can be inserted. The aircraft specification will identify the manual, and when different types of the airplane are covered in separate manuals, each will be listed. Also, the latest approved revisions will be shown on the aircraft specification when these changes are considered to be of major importance to airworthiness.

The Airplane Flight Manual should contain as much of the following as is applicable to the individual model. It is suggested that the document be divided into sections as indicated in paragraphs (a)-(g) of this section. The sequence of sections and of items within sections should follow this outline insofar as practicable. This will facilitate revising the document when an airplane is altered in the field. It is recommended that revisions to the manual resulting from major alterations to the airplane be in the form of supplements to the original manual with individual log of revision pages.

(a) *Introduction*—(1) *Title page*. This page should include the manufacturer's name, airplane model, registration or serial number, date of approval and space for the signature of the Chief, Aircraft Division. In addition the following note should be included: "This airplane must be operated in compliance with the Operating Limitations herein."

(2) *Table of contents*.

(3) *Log of revisions*. This page should be in the form of a table in which to record for each revision an identifying symbol, a date, and the page numbers involved. All revised pages should show a revision date and a vertical bar should be placed along the left hand margin to indicate the latest revised portion of each page.

(b) *Operating limitations*. The purpose of this section is merely to state the limitations without any unnecessary explanation of what they are. The manual should point out that observance of these limitations is required by law.

(1) *Weight limits*. Indicate the range of maximum take-off and landing weight approved by means of a table or suitable diagram showing these weights at various altitudes throughout the range for which performance information is contained in the manual. State that airplane weight in excess of maximum landing weight must be disposable fuel. State any other limitations on weight. In addition to the maximum weights and any relative information, a statement to the effect that the airplane must be loaded in accordance with the approved loading schedule should be included. (See paragraph (e) of this section.) The following is a typical example:

(i) Maximum take-off weight at sea level is 92,000 pounds.

(ii) Maximum landing weight at sea level is 73,000 pounds.

NOTE: This airplane is to be operated in accordance with the approved loading schedule. (See paragraph (e) of this section.) For maximum permissible weights at various altitudes, see paragraph (d), *Performance information*, of this section. In scheduled or irregular passenger operations, operating weights are limited in accordance with parts 41, 42, or 61 of this chapter.

(iii) All weight in excess of the maximum permissible landing weight must consist of disposable fuel.

(iv) All weight in excess of 68,000 pounds must consist of fuel for structural reasons.

(v) All fuel weight must be distributed equally on both sides of the airplane. All main tanks must be filled (equally) first, alternate second, and then auxiliaries. Fuel must be used in reverse order from fuel loading except for take-off, climb and landing—at which time the main tanks should be used.

(2) *Center of gravity limits.* State all authorized C. G. limits and refer to paragraph (e) of this section for weight and balance data. All C. G. limits should be given in inches from the datum, which should be identified and in percent of the mean aerodynamic chord, with the landing gear extended in all cases.

(3) *Power plant.* State all power plant limitations; i. e., manifold pressure, rpm, maximum time for use of take-off power, cylinder head and barrel and oil temperatures, minimum fuel octane number, etc. Give any limitation on rpm due to vibration, tip speed, etc.; also propeller pitch, cowl flap position limitations, etc. The items should be listed as follows:

(i) *Engine.*

(*a*) Manufacturer.

(*b*) Model.

(*c*) Propeller drive gear ratio.

(*d*) Fuel, minimum octane.

(*e*) Temperatures — Maximum permissible cylinder head and oil inlet.

(*f*) Power limits—Those given by the engine specification; i. e., excluding the effect of ram on critical altitude.

(*g*) Any limitations, such as rpm ranges in which operation is prohibited due to engine or propeller vibration.

(ii) *Propellers.*

(*a*) Manufacturer.

(*b*) Model designation.

(iii) *Instrument markings.* An explanation of the instrument markings should be included. A typical example follows:

(*a*) General: Red radial line—Maximum and minimum limits. Yellow arc—Take-off and precautionary ranges. Green arc—Normal operating ranges. Red arc—Ranges in which operation is prohibited.

(*b*) Fuel quantity indicator (when applicable—Reference § 4b.736). Red arc—Fuel which cannot be used safely in flight.

(4) *Speed limitations.* The speeds and explanations of their significance given in subdivisions (i) through (vi) of this subparagraph should be included. Section 4b.710 does specify whether airspeed limitations should be expressed in terms of calibrated or indicated airspeed. However, to agree with past practice it is suggested that the airspeed values be expressed in terms of calibrated airspeed. The indicated airspeed values may also be included, but should be properly identified, e. g. by parentheses.

(i) *Never exceed speed.* V_{ne} (previously known as "glide or dive speed"), with and without de-icer boots, if applicable plus a statement to the effect that speeds in excess of this value may result in structural, flutter, or control hazards. The effects of altitude (i. e., Mach number) on this speed should be given if applicable unless the airplane is equipped with a Machmeter, in which case the "never-exceed" Mach number should also be quoted.

(ii) *Normal operating limit speed.* V_{no} (previously known as "level flight or climb speed" or "maximum structural cruising speed"), with and without de-icer boots if applicable, plus statements to the effect that: Speeds in excess of this value may result in excessive gust loads, whereas speeds below this value will reduce the structural loads produced by severe gusts. (The "maneuvering speed" is generally considered the optimum speed to avoid excessive loads as well as inadvertent stalling or loss of control in turbulent air.) The speed V_{no} should not be deliberately exceeded, even during descents because of the possibility of unexpected gusts. The speed range between V_{no} and V_{ne} is to provide for inadvertent speed increases. When this speed is reduced at altitude because of Mach number effects, the purpose of such reduction is to maintain the margin between V_{no} and V_{ne} for inadvertent speed increases.

(iii) *Maneuvering speed.* V_A, plus a statement of its significance, of which the following is an example: "Maximum use" of the primary flight controls should be confined to speeds below this value. For this purpose, "maximum use" is defined as the lesser of the following: Rudder—full throw, or ______ pounds force. Elevator—full throw, or ______ pounds force. Aileron—full throw, or ______ pounds force with each hand.

(iv) *Flaps extended speed.* V_{FE} at least the speed determined in accordance with § 4b.714 must be given. However, when desired, speeds for various combinations of flap settings and power conditions may be given, the following is an example:

Flap setting	Maximum speed (m. p. h.)	Maximum power
Take-off	....	Take-off.
Approach	....	Continuous.
	....	Take-off.
Landing	....	Idling.
	....	Take-off.

(A note should be added to indicate which of the values is to be marked on the airspeed indicator.)

(v) *Landing gear operating speed.* V_{LO}, plus a statement that this is the maximum speed at which the landing gear may be lowered or raised.

(vi) *Landing gear extended speed.* V_{LE}, plus a statement that this is the maximum speed with landing gear extended and locked.

(vii) *Compressibility effects.* When a speed limitation (e. g., never exceed speed) results from compressibility effects, the manual should include a statement to this effect and information concerning warning symptoms, probable behavior of the airplane and suggested recovery procedure.

(viii) *Airspeed-indicator markings.* An explanation of the airspeed-indicator markings should be included. A typical example follows: "Airspeed-Indicator markings (See definitions of speeds in subdivisions (i) through (vi) of this subparagraph). Red radial line—never exceed speed, V_{ne}. Yellow arc—caution range, extending from V_{no} to V_{ne}. White arc—flaps extended range, extending from stalling speed (V_{s_0}) with flaps in landing position at maximum landing weight to the flaps extended speed (§4b.714). Green arc—normal operating range; i. e., from stalling speed with flaps retracted at maximum take-off weight to V_{no}."

(5) *Demonstrated crosswind.* The statement on this item should indicate the maximum cross component of wind velocity at which it has been demonstrated to be safe to take-off or land. If the value established during the tests is considered the maximum up to which it is considered safe to operate the airplane on the ground, including take-offs and landings, it should be entered under this item; i. e., as a limitation. However, if the value established is not considered limiting it should be included as performance information, as outlined in paragraph (d) of this section, instead of a limitation. In the case of flying boats and additional maximum cross component of wind velocity for taxiing may be appropriate material. Cross-wind should be based on reported wind velocities measured at 50 feet above the ground.

(6) *Flight load acceleration limits.* Flaps up ______ (at take-off weight). Flaps down ______ (at landing weight).

(7) *Type of airplane operation.* A typical example would be as follows:

(i) Transport category.

(ii) Instrument night flying (when required equipment is installed).

(iii) Atmospheric icing conditions—should stipulate "none, trace, light, moderate or heavy."

(8) *Minimum crew.* Information should be given in this item for all operations specified under subparagraph (7) of this paragraph and any additional conditions if desired or considered pertinent. The number and identity of members of minimum crew necessary to safe operation should be stated.

(9) *Miscellaneous.* This item should include any information not given under the preceding headings that is restrictive and considered necessary for the safe operation of the airplane. Some typical examples are as follows:

(i) The wing and tail anti-icing heaters should not be operated in flight when the outside air temperature is above 50° F.

(ii) Pressurized cabin differential pressure limits, etc.

(iii) A notation should be included to warn flight personnel against jettisoning fuel while the flaps are lowered unless it has been demonstrated that flap position does not adversely affect fuel jettisoning. (See § 4b.437 (b).)

(iv) Propeller reversing to be used for taxiing only.

(c) *Operating procedures; general.* This section of the manual should contain information peculiar to the airplane, concerning normal and emergency procedures, knowledge of which might enhance the safety of operation of the airplane. The manual should state that these procedures are not made mandatory by this part. However, they may be made mandatory by other parts of the regulations such as Parts 40, 41, 42, 61, etc. of this chapter.

(1) *Normal procedures.* This section should contain information and instructions regarding peculiarities of: Starting and warming engines, taxiing, operation of wing flaps, landing gear, automatic pilot, etc. Outline normal procedures for each, noting any special precautions in the interests of safety. Describe or refer to procedure in any emergency likely to occur in each. Also included in this section should be instructions for the operation of any equipment that is considered new in the aeronautical field or comparatively complicated.

(i) A typical example of the former would be: "Wing flaps should be exercised through three complete cycles prior to all initial take-offs. This operation accomplishes the automatic bleeding and the equalization of pressure to the eight separate hydraulic flap actuating cylinders."

(ii) Typical examples of the latter are: "Recommended operating procedures for thermal ice prevention system, recommended operating procedures for reversible pitch propellers, and cabin pressurization."

(2) *Emergency procedures*—(i) *Engine failure.* This section should include the procedure to be used in the event of an engine failure, including recommended minimum speeds, trim, operation of remaining engine(s), etc. A typical example would be as follows: "Engine Failure on Take-Off. The minimum speed (V_1) at which the airplane can be controlled directionally on the runway with an outboard engine inoperative and its propeller windmilling, and with take-off power on the remaining engines, is 60 m. p. h. TIAS. The minimum speed at which the airplane is controllable in flight with the sudden failure of an outboard engine, with take-off power on the remaining engines, is 96 m. p. h. TIAS. If an engine fails during the ground roll below speed V_1, cut the throttles on all engines and apply brakes. If ground contact has already been broken, land straight ahead if sufficient runway remains. If not, retract landing gear, maintain full power on live engines, and continue take-off. Feather the dead engine as outlined in subdivision (ii) of this subparagraph. Use minimum cowl flap setting on live engines to maintain cylinder temperatures within limits. Retrim airplane as necessary. Speed for best climb under these conditions is 115 m. p. h. TIAS. See paragraph (d) *Performance information,* of this section, for criterion and V_1 speeds used in determining the runway lengths."

(ii) *Propeller feathering.* This section of the manual should outline the procedure to be followed in stopping the rotation of propellers in flight. A typical procedure is outlined below:

(*a*) Throttle—"Closed."

(*b*) Push feathering switch button. When propeller blades are fully feathered the button will kick out automatically.

(*c*) Mixture control—Idle cut-off."

(*d*) Fuel and oil fire wall shut-off switches—"Off" (closed).

(*e*) Cowl flaps—"Closed."

(*f*) Fuel booster pump—"Off."

(*g*) Tank selector for engine being feathered—"Off." (Do not shut tank selector "Off" if crossfeed is being used.)

(*h*) Ignition for dead engine—"Off."

(*i*) Propeller pitch control—"Full decrease r. p. m."

(iii) *Automatic propeller feathering.*

(iv) *Unusual procedures.* Information on any emergency procedures that are considered unusual or in which a specific sequence of events are required to accomplish the operation satisfactorily should be specified. Some typical examples are as follows:

(*a*) All-engine go-around when it is recommended practice to retract the flap prior to retracting the gear resulting from a design condition in which the flap creates more drag than the landing gear.

(*b*) Fire control procedures.

(*c*) Emergency cabin depressurization.

(*d*) Emergency landing gear extension.

(*e*) Emergency brake operation.

(*f*) Fuel dumping.

(*g*) Electrical: In addition to other electrical items, the manual should specify the circuits in which overriding breakers, if any, are used and contain instructions concerning operation of both overriding and non-over-riding types. The following is a typical example: "All circuit breakers are of the non-over-riding type except the fuel booster pumps and propeller feathering circuits. In an emergency, the breakers in these two circuits may be held closed with the possible risk of fire hazard due to short circuits, etc. Discretion should also be used in repeatedly resetting non-overriding breakers due to the fact that resetting may reestablish an arc and increase the fire hazard."

(*h*) Emergency by day and/or night.

(*i*) Flare release procedure.

(*j*) Wheels up landing procedure.

(*k*) Ditching procedure.

(3) *Other special operating procedures (if any).*

(4) *Alternate operating procedures.* After gaining a large amount of experience with a particular model airplane, some operators may develop various operating procedures that they consider equivalent or better than some of those originally described in the manual. If an operator wants to incorporate new procedures in the Airplane Flight Manual, the operator should apply to the CAA office in the region where he is located for approval of the alternate procedures in the same manner that he would normally use in the case of a structural change or alteration. The local CAA regional office will coordinate the application with the CAA regional office containing the airplane technical data file if the proposed change in procedure is considered to be of sufficient importance.

(i) *For scheduled air carrier operators only.* For greater flexibility and to avoid duplication of instructions to pilots when operators desire to incorporate Airplane Flight Manual Operating Procedures in their operations manuals or devise their own operating procedures, the CAA will permit the removal of the Operating Procedures Section from the Airplane Flight Manual by scheduled air carrier operators provided the operators include the same or equivalent material in their operations manual and at the same time assume full responsibility of proving the equivalency of any new or altered procedures if called upon to do so by the CAA in connection with airplane accident investigations, etc. When the Operating Procedure Section is removed from the Airplane Flight Manual by an operator, an appropriate notation to this effect should be added to the Airplane Flight Maual of each airplane affected.

In accordance with the foregoing, the following statement should be included under the Operating Procedure Section of the Airplane Flight Manual when the Operating Procedure Section is transferred verbatim from the Airplane Flight Manual to the air carrier operations manual:

The airplane operating procedures prescribed by § 4b.742 *Operating procedures* are included in ______ (show reference to appropriate section of the air carrier operations manual) ______.

If an air carrier operator desires to reword or restate the CAA approved operating procedures or establish new or alternate operating procedures without obtaining prior approval of these procedures from the CAA, the following additional statement should be included with the above statement:

Where the procedures in the air carrier operations manual differ from those contained in the CAA Approved Airplane Flight Manual for this airplane, (______name of air carrier operator______) has determined that equivalent safety is provided by such alternate procedures and assumes full responsibility for this determination.

If for any reason the alternate operating procedures become inapplicable or inappropriate to the operation of the airplanes affected, the original CAA Approved Operating Procedures Section should be reinserted in the Airplane Flight Manual in order that the contents of the manual will revert to the same text as originally approved by the CAA.

(d) *Performance information.* This section should contain all the performance information necessary to implement the operating requirements of § 61.213 of this chapter, etc., and to operate the airplane safely.

(1) *Introductory information.* This should include any general information or any pertinent descriptions of the conditions under which the performance data were determined. The following examples are considered typical and appropriate:

(i) All climb data are for standard atmospheric conditions.

(ii) The minimum effective take-off runway lengths given in this section are defined as the longer "accelerate-stop distance" and the distance required to take off and clear a 50-foot obstacle with one engine becoming inoperative at speed V_1.

(*a*) The accelerate-stop distance is the distance required to accelerate the airplane from a standing start to the speed V_1, and assuming an engine to fail at this point, to stop.

(*b*) The take-off distance is defined as the sum of the following: Distance to accelerate to speed V_1 with all engines operating, distance to accelerate from speed V_1 to speed V_2 with one engine inoperative and propeller windmilling in low pitch. (It is assumed that gear retraction is initiated at the end of this segment), and the horizontal distance traveled in climbing to a height of 50 feet at speed V_2 with one engine inoperative. (It is assumed that propeller feathering is not commenced prior to the end of this segment.)

(*c*) Speed V_1 is defined as the critical engine failure speed and is a speed at which the controllability has been demonstrated to be adequate to permit proceeding safely with the take-off when the critical engine is suddenly made inoperative. The minimum V_1 speed for this airplane is 60 m. p. h. TIAS (airspeed calibration should include ground effect); however, as explained below, speeds in excess of this value were used in determining the runway lengths.

(*d*) Speed V_2 is defined as the minimum take-off climb speed and is the greater of the following: 1.15 times the power-off stalling speed with the flaps in the take-off position (assuming a four-engine airplane). 1.10 times the minimum control speed, V_{mc}.

(*e*) The minimum control speed, V_{mc}, is defined as the minimum speed at which the airplane is controllable in flight with the sudden failure of an outboard engine with take-off power on the remaining engines.

(*f*) All runway lengths given in this manual are based upon optimum V_1 speeds; i. e., the speed selected for V_1 is such that the accelerate-stop distance is equal to the distance to clear a fifty foot obstacle with one engine becoming inoperative at this speed. Consequently, V_1 varies with weight, altitude, wind, gradient, temperature, etc. Values for V_1 for the various conditions are given under subparagraph (2) of this paragraph.

(*g*) All take-off and landing distances are given for dry, concrete runways.

(*h*) If the maximum cross component wind velocity in which landings and take-offs were demonstrated was not considered limiting, it should be included in this section of the manual. A typical example would be as follows: "The maximum crosswind component in which this airplane has been tested in 20 m. p. h. measured at a height of 50 feet above the ground. Consequently, in determining the effective take-off and landing runway lengths, a crosswind component greater than this value may not be used."

(2) *Performance data.* These data may be given in either graphical or tabular form and should cover the weight range and all airport and terrain altitudes at which the airplane is intended to be operated. The scale of the charts should permit accurate reading within approximately 0.25 of one percent. The following should be included:

(i) *Airspeed calibration.* This should be given for the normal and alternate static sources. Ground effect should be included for V_1 speed range. (A plot of CAS vs. IAS @ various flap positions, preferably on one page.)

(ii) *Altimeter calibration.* This should be given for the normal and alternate static source.

(iii) *Stalling speeds.* A table or diagram of calibrated stalling speeds at various weights at all authorized flap settings, power-off should be given.

(iv) *Gross weight summary.* A summary of permissible operating landing and take-off gross weights as limited by the climb or structural requirements should be provided.

(v) *Minimum take-off runway length.* Unless optimum values of V_1 are selected, establishing equal distances to accelerate to speed V_1 and stop or to make a take-off over a 50-foot obstacle with the critical engine becoming inoperative at speed V_1, inclusion of both the accelerate-stop distance and runway length required to take-off and clear a 50-foot obstacle will be necessary. It is recommended that these data be given for a range of temperatures (see § 4b.117) and runway gradients sufficient to permit proper dispatching under the rules of § 61.213 of this chapter, etc., in addition to the standard day temperature data.

(vi) *Take-off information.* Take-off flight paths through the final climb segment, flight path slope or data supplementary to that obtained in subdivision (v) of this subparagraph that may be used for dispatching purposes should be included. These should be for the same range of temperatures (see § 4b.117) and runway gradients as subdivision (v) of this subparagraph.

(vii) *Minimum take-off climb speed,* V_2. This speed should be listed for the range of weights, altitudes and conditions covered in subdivisions (v) and (vi) of this subparagraph. The distance to accelerate to these speeds should also be included to provide data necessary for gradient problems involving runways with variable gradients of sufficient magnitude that average gradients cannot be assumed.

(viii) *Critical engine failure speed,* V_1. This speed or speeds V_1 for the range of weights, altitudes and conditions covered in subdivisions (v) and (vi) of this subparagraph if applicable should be given. The distances to accelerate to these speeds should also be included to provide data necessary for gradient problems involving runways with variable gradients of sufficient magnitude that average gradients cannot be assumed.

(ix) *Minimum runway length required for landing.* With respect to this item, the following data would be considered appropriate: Landing distance from height of 50 feet. Minimum effective landing runway length—scheduled stops. (See § 61.213 of this chapter.) Minimum effective landing runway length—alternate stops. (See § 61.213 of this chapter.)

(x) *Wind effect in landing and take-off.* If it is desired to take advantage of wind in determining landing and take-off distances all data should be based upon wind velocities reported at a height of 50 feet above the runway; i. e., the runway length would be calculated for one half of the reported headwind velocity, or one and one-half times the reported tailwind velocity, measured at a height of 50 feet corrected for wind gradient to the height of the center of aerodynamic drag of the airplane. A note clearly stating the above stipulations should be included in the manual.

(xi) *Rates of climb and climbing speeds.* These rates and speeds should be specified for the desired range of weights and altitudes, together with the corresponding airplane configuration (flap position, gear position, etc.), and should be given for the following when applicable:

(*a*) First segment take-off climb (§4b.120 (a)).

(*b*) Second segment take-off climb (§4b.120 (b)).

(*c*) Third segment take-off climb (§4b.116 (d)).

(*d*) Final segment take-off climb §4b.116 (e)).

(*e*) One-engine inoperative en route climb (§4b.120 (c)).

(*f*) All engine en route climb (§ 4b.119 (b)).

(*g*) Two-engine inoperative en route climb (§ 4b.121).

(*h*) Approach climb (§ 4b.120 (d)).

(*i*) Landing climb (§4b.119 c)).

(xii) *Engine power curve.* A copy of the CAA approved power chart of BHP vs. MP @ RPM and BHP vs. altitude @ RPM and @ MP should be included.

(xiii) *Performance charts.* Any instructions or examples for use of the performance charts should be included.

(xiv) *Removal of performance data.* The Performance Section of the Airplane Flight Manual should not be removed from the Airplane Flight Manual. However, any tables, charts etc., that an air carrier operator prepares which are based on airplane flight manual performance material for convenience in determination of load limitation data need not be carried in the Airplane Flight Manual even though approved by the CAA if the operator does not care to do so.

(e) *Weight and balance data*—(1) *General.* Inasmuch as it is desired to eliminate the necessity of submitting revisions of the Airplane Flight Manual to the CAA for approval whenever an item of equipment is altered or added, this section of the manual will not be included in the formally "approved" portion of the document. However, a note to the effect that the airplane should be operated in accordance with the approved loading schedule should be included in the Limitations Section. (See paragraph (b) (1).)

(2) *Responsibility for control of weight and balance.* It is the intention of the Civil Aeronautics Administration

to place the responsibility for the control of weight and balance with the manufacturer and operator. The manufacturer will furnish a weight and balance report for each new airplane which may be included in the manual but not in the "approved" portion. The Civil Aeronautics Administration's representative will not approve each individual report but will make only occasional spot checks to ascertain that the manufacturer's weight control procedure is adequate. The manufacturer will be expected to furnish complete information with the airplane not only regarding its actual weight and balance, but also to include sketches, samples and other data that will assist the operator in checking the balance after alterations.

(3) *Conventional airplanes.* The following material is believed to be complete and adequate for a conventional airplane.

(i) *Weight limits.* A list and explanation (where necessary) of the various weight limits should be given.

(ii) *C. G. Limits.* The approved operating C. G. range should be specified.

(iii) *Empty weight and empty weight C. G. location.*

(iv) *Equipment list.* All equipment included in the empty weight should be listed.

(v) *Weight computations.* The computations necessary to determine the empty weight C. G. location, including identification of balance datum should be shown.

(vi) *Loading schedule.*

(vii) *Loading schedule instructions.* Complete instructions in the use of the loading schedule should be provided.

(4) *Unconventional airplanes.* In the case of unconventional airplanes or airplanes with special features, the information specified in subparagraph (3) of this paragraph should be modified or amplified as necessary to cover the case.

(f) *Supplements.* As a general rule, when major alterations are made by an operator (or owner) to an airplane involving appreciable changes to the Airplane Flight Manual it is advisable for the operator to prepare a separate supplement to the original manual under his own name covering the items that are different from the original manual. Then subsequent revisions to the manual by the manufacturer or operator will pertain only to their respective portions of the manual and should eliminate possible confusion.

(g) *Submittal.* Three copies of the above material, less the Weight and Balance Data Section, should be submitted to the appropriate Civil Aeronautics Administration regional office by the applicant for an original approval. The three copies will be signed by the regional Chief, Aircraft Division; one copy will be returned to the applicant, one will be forwarded to the Washington office and the other retained by the regional office. A single copy of the title page to be used for Chief's signature may be substituted for the applicant's copy if desired. In cases where the revisions to the manual are of primary importance to safety in flight, the pertinent Aircraft Specification will contain a description of the change to ensure that all manuals are revised. A revision of this type would usually be the subject of an Airworthiness Directive note. One copy of the Weight and Balance Section should be included in the manual by the applicant for each airplane at the time of certification.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 553)

These policies shall become effective upon publication in the FEDERAL REGISTER.

L. C. ELLIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-1793; Filed, Feb. 5, 1951; 8:46 a. m.]

[Supp. 15]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

HAND FIRE EXTINGUISHERS; NUMBER AND INSTALLATION

The following policies are hereby adopted:

§ 4b.641-1 *Portable water-solution-type extinguishers (CAA policies which apply to § 4b.641).* (a) *General:* It has been established that water-solution-type hand fire extinguishers are more suitable for controlling and extinguishing Class A fires (fires in seat upholstery, curtains, floor coverings, clothing, paper, etc.) than are other types designed primarily for extinguishing Class B fires (fires in inflammable liquids, greases, etc.) or Class C fires (electrical fires, which require non-conducting extinguishing agents).

(b) *Installation:* Water-solution-type portable fire extinguishers which comply with the provisions of Technical Standard Order TSO-C19 (a), the performance requirements for which are based on SAE Aeronautical Standard AS 245, dated November 1, 1948, may be used to meet the minimum requirements of this part for fuselage fire protection in civil aircraft on the following basis:

(1) The portable fire extinguisher required for use by the pilot or copilot in the cockpit should continue to be of the carbon dioxide, carbon tetrachloride, dry chemical, or an equivalent type, since Class B and Class C fires are considered to be the primary hazard in pilot compartments. Such an extinguisher should have a minimum capacity, if carbon tetrachloride, of 1 quart, or, if carbon dioxide, of 2 pounds.

(2) Other portable fire extinguishers may be of the water-solution-type, unless the primary hazard is considered to require Class B or Class C extinguishing equipment, e. g., possible grease fires in the galley (Class B fires), fires in the electrical or radio installations, etc. (Class C fires).

(3) When substitution of portable water-solution-type fire extinguishers for other types of extinguishers is contemplated in the design of new aircraft or as a replacement in aircraft already in service, it should be on a minimum basis of one 1⅜-quart water-solution-type fire extinguisher conforming to SAE Aeronautical Standard AS 245 for each 1-quart-capacity carbon tetrachloride unit, each 2-pound-capacity carbon dioxide extinguisher, or for each 2 pounds of dry-chemical extinguishing agent.

(c) There is no objection to installation of portable water-solution-type fire extinguishers in addition to those required in this part.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 552)

These policies shall become effective upon publication in the FEDERAL REGISTER.

L. C. ELLIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-1794; Filed, Feb. 5, 1951; 8:47 a. m.]

[Supp. 5]

PART 40—AIR CARRIER OPERATING CERTIFICATION

ROUTE REQUIREMENTS: VISUAL CONTACT NIGHT OPERATIONS

Proposed rules regarding compliance with §§ 40.7 and 40.36 were published on September 22, 1950, in 15 F. R. 6330. Interested persons were afforded an opportunity to submit data, views, or arguments. Consideration has been given to all relevant matter presented. The following rules are hereby adopted:

§ 40.7-1 *Route requirements: Visual contact night operation (CAA rules which apply to § 40.7).* See § 40.36-1.

§ 40.36-1 *Route requirements: Visual contact night operation (CAA rules which apply to § 40.36).* It has been determined that safe air carrier operation at night can be conducted under visual flight rules, when VFR weather conditions exist over the route or route segment to be flown, utilizing adequate radio navigational aids in lieu of the airway beacons and obstruction lights specified in § 40.36 where (a) sufficient radio aids coverage will provide safe aircraft navigation by that means, (b) the radio equipment in the aircraft meets the requirements of § 40.79 and the ground navigation aids are in normal operation during the time the flights are being conducted, and (c) airport beacon, obstruction lights, runway (contact) lights, and such other lighting facilities deemed necessary by the Administrator are in operation at all terminals and intermediate stops.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1009, as amended; 49 U. S. C. 551)

These rules shall become effective upon publication in the FEDERAL REGISTER.

L. C. ELLIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-1795; Filed, Feb. 5, 1951; 8:47 a. m.]

[Supp. 14]

PART 61—SCHEDULED AIR CARRIER RULES

WEATHER MINIMUMS; VISUAL-CONTACT CLEARANCE

The following rules concerning Part 61 are hereby adopted. They do not impose additional burdens upon interested persons. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be unnecessary and therefore is not required.

§ 61.200-1 *Dispatch-visual contact night operation (CAA rules which apply to § 61.200 (c))*. Where a scheduled air carrier meets the requirements of § 40.36-1 of this chapter, the requirements of § 61.200 (c) shall not apply.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1009, as amended; 49 U. S. C. 551)

L. C. ELLIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-1796; Filed, Feb. 5, 1951; 8:47 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 41]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required. Part 600 is amended as follows:

1. Section 600.103 *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.)* is corrected by changing "Engle, N. Mex., to read "Hot Springs, N. Mex."

2. Section 600.201 *Red civil airway No. 1 (Portland, Oreg., to Kansas City, Mo.)* is amended between Malad City, Idaho, and Rock Springs, Wyo., radio range stations by adding the following: "the intersection of the southeast course of the Malad City, Idaho, radio range and the north course of the Fort Bridger, Wyo., radio range".

3. Section 600.221 *Red civil airway No. 21 (Pittsburgh, Pa., to Boston, Mass.)* is amended by correcting the first sentence to read: "From the intersection of the northeast course of the Pittsburgh, Pa., radio range and the west course of the Altoona, Pa., radio range via the intersection of the northeast course of the Pittsburgh, Pa., radio range and the north course of the Altoona, Pa., radio range to the Selinsgrove, Pa., nondirectional radio beacon."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. February 6, 1951.

DONALD W. NYROP,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-1790; Filed, Feb. 5, 1951; 8:45 a. m.]

[Amdt. 44]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore, is not required. Part 601 is amended as follows:

1. Section 601.1001 control area extension Abilene, Tex., is revoked.

2. Section 601.1195 is amended to read:

§ 601.1195 *Control area extension (Silver Lake, Calif.)*. From the Silver Lake, Calif., radio range station extending 5 miles either side of the southeast and northwest courses of the radio range to points 25 miles southeast and northwest of the radio range station.

3. Section 601.1020 is amended to read:

§ 601.1020 *Control area extension (Smithville, Tenn.)*. From the Smithville, Tenn., radio range station extending 5 miles either side of the northeast course of the radio range to a point 20 miles northeast of the radio range station.

4. Section 601.1061 control area extension Hilo, Hawaii, is revoked.

5. Section 601.1213 control area extension Lake Charles, La., is amended by adding the following to the present designation: "excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area."

6. Section 601.1214 control area extension Brownsville, Tex., is amended by adding the following to the present designation: "excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area."

7. Section 601.1215 control area extension Galveston, Tex., is amended by adding the following to the present designation: "excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area."

8. Section 601.1216 control area extension New Orleans, La., is amended by adding the following to the present designation: "excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area."

9. Section 601.1217 control area extension New Orleans, La., is amended by adding the following to the present designation: "excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area."

10. Section 601.1218 control area extension New Orleans, La., is amended by adding the following to the present designation: "excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area."

11. Section 601.1984 is amended by deleting the following airports: "Anchorage, Alaska: Merrill Field; Nome, Alaska: Marks AFB;" and by amending "Bedford, Mass.: Bedford Municipal Airport" to read: "Bedford, Mass.: Lawrence G. Hanscom Field".

12. Section 601.2019 is amended to read:

§ 601.2019 *Providence, R. I., control zone.* Within a 5 mile radius of the Theodore Francis Greene Airport extending 2 miles either side of the southwest course of the Providence, R. I., radio range to a point 10 miles southwest of the radio range station.

13. Section 601.2050 is amended to read:

§ 601.2050 *Garden City, Kans., control zone.* Within a 5 mile radius of the (old) Garden City Municipal Airport including a 5 mile radius of the (new) Garden City Municipal Airport extending 2 miles either side of the north course of the Garden City radio range to a point 10 miles north of the radio range station, and extending 2 miles either side of the 288° magnetic radial of the Garden City omnirange to a point 10 miles northwest of the omnirange station.

14. Section 601.2054 is amended to read:

§ 601.2054 *Hutchinson, Kans., control zone.* Within a 5 mile radius of the Hutchinson Municipal Airport extending 2 miles either side of the south course of the radio range to a point 10 miles south of the radio range station, and extending 2 miles either side of the 32° and 212° magnetic radials of the Hutchinson omnirange from the Hutchinson Municipal Airport to a point 10 miles southwest of the omnirange station.

15. Section 601.2088 is amended to read:

§ 601.2088 *Dodge City, Kans., control zone.* Within a 5 mile radius of the Dodge City Municipal Airport extending 2 miles either side of a 360° True bearing from the Dodge City non-directional beacon to a point 10 miles north of the non-directional beacon, and extending 2 miles either side of the 150° and 330° magnetic radials of the Dodge City omninrange from the Dodge City Municipal Airport to a point 10 miles northwest of the omnirange station.

16. Section 601.2165 is amended to read:

§ 601.2165 *Savannah, Ga., control zone.* Within a 5 mile radius of Travis Field including a 5 mile radius of Hunter AFB, Savannah, Ga., extending to include the area 2 miles either side of the northwest and southeast courses of the

Savannah radio range to a point 10 miles southeast of the radio range station, extending 2 miles either side of the southwest course of the radio range to the Richmond Hill fan marker, and extending 2 miles either side of the centerline of the east-west runway of Travis Field to a point 10 miles west of Travis Field.

17. Section 601.2217 Aberdeen, S. Dak., control zone is amended by correcting the name of airport from "Aberdeen Airport" to "Aberdeen Municipal Airport, Saunders Field".

18. Section 601.2278 is added to read:

§ 601.2278 *New Bedford, Mass., control zone.* Within a 5 mile radius of the New Bedford Municipal Airport extending 2 miles either side of the ILS localizer course to a point 10 miles southwest of the localizer.

19. Section 601.2279 is added to read:

§ 601.2279 *Anchorage, Alaska, control zone.* Within a 10 mile radius of Anchorage International Airport (lat. 61°10′00″, long. 149°59′30″).

20. Section 601.2280 is added to read:

§ 601.2280 *Hobbs, N. Mex., control zone.* Within a 15 mile radius of Lea County Airport, Hobbs, N. Mex.

21. Section 601.4103 *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.)* is amended by changing the name "Eagle, N. Mex., radio range station" to "Hot Springs, N. Mex., radio range station".

22. Section 601.4678 is amended to read:

§ 601.4678 *Blue civil airway No. 78 (Spring Bay, Utah, to Malad City, Idaho).* No reporting point designation.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t., February 6, 1951.

DONALD W. NYROP,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-1791; Filed, Feb. 5, 1951; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-424]

PART 197—RELATING TO THE INSTALLMENT SALE AND FINANCING OF MOTOR VEHICLES

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I, as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of February 6, 1951.

Statement by the Commission. Trade practice rules relating to the sale and financing in commerce of motor vehicles on installment or deferred payment contracts, as hereinafter set forth, are promulgated by the Federal Trade Commission under its trade practice conference procedure.

The rules are designed to eliminate and prevent certain unfair or deceptive acts or practices in such installment sale of motor vehicles, and in the financing of such sales, which are considered by the Commission to be violative of section 5 of the Federal Trade Commission Act as amended. The rules are applicable to all persons, partnerships, or corporations coming within the jurisdiction[1] of the Commission and will be applied to the elimination of the particular acts or practices therein specified which the Commission believes tend to suppress competition or restrain trade. Subject to commerce and other jurisdictional requirements, appropriate proceedings in the public interest will be taken by the Commission to prevent automobile dealers and financing institutions from engaging in any of the practices defined and proscribed by the rules.

The recent stabilization of prices of motor vehicles by the Government, made necessary by the inflationary trend, makes it more important that such opportunities as may exist for fair competition in the retail marketing of motor vehicles, including sales on the installment plan, be not impaired. The present promulgation of the rules having such objective is especially timely.

Proceedings leading to the establishment of rules were instituted by the Commission on its own motion. A general industry conference was held in Washington, D. C., at which suggestions and objections by interested parties and proposals for rules regarding the matter were presented and given consideration. Thereafter a draft of proposed rules in appropriate form was made available by the Commission and public notice given whereby all interested or affected parties were afforded opportunity to present their views, including such pertinent information, suggestions, or objections as they desired to offer, and to be heard in the premises. Hearing was accordingly held on February 2, 1950, in Washington, D. C., and additional hearings were held before the Commission on April 10, May 5, and May 8, 1950. Following such hearings, all matters presented or otherwise received in the proceedings were duly considered.

Thereafter, and in consideration of the entire matter, final action was taken by the Commission whereby it approved the trade practice rules hereinafter appearing. Such rules become operative thirty (30) days after date of promulgation.

In view of the exemplary objective of these rules, the Commission is hopeful of their approval by all who are engaged in such financing.

General statement. The practices proscribed in Group I rules are such as are considered to be prohibited by laws administered by the Federal Trade Commission. Appropriate proceedings in the public interest will be taken by the Commission to prevent the employment of any such practices in commerce[2] by any person, partnership, corporation, or other organization subject to its jurisdiction.

GROUP I

AUTHORITY: §§ 197.1 to 197.5 issued under sec. 6, 38 Stat. 721; 15 U. S. C. 46.

§ 197.1 *Misrepresentation as to insurance coverage or rates, financing costs, etc.* It is an unfair trade practice for any seller or financing institution, acting individually or in agreement, combination, conspiracy, or collusion with one another, to make any false, misleading, or deceptive statements or representations concerning insurance coverage or rates, plans respecting methods of financing, or financing costs or rates, in connection with the sale at retail of motor vehicles on installment or deferred payment contracts. [Rule 1.]

§ 197.2 *Furnishing the purchaser with itemization of his costs in the installment sale of motor vehicles.* (a) In the installment sale of motor vehicles it is an unfair trade practice for the seller to fail, before the consummation of the sale, to furnish the buyer an itemization in writing signed by the seller separately disclosing to the purchaser the finance charge, insurance costs, and other charges which are paid or to be paid by the purchaser, such failure to separately disclose such items having the capacity and tendency or effect of deceiving the purchaser as to the nature of his costs in the transaction or rendering competition with respect to the cost of financing and cost of the insurance involved ineffective from the standpoint of the purchaser.

[1] The Commission is empowered and directed to prevent persons, partnerships, or corporations, except banks, common carriers subject to the acts to regulate commerce, air carriers and foreign air carriers subject to the Civil Aeronautics Act of 1938, and persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921, except as provided in section 406 (b) of said act, from using unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce.

[2] As here used the word "commerce" means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

(b) The seller shall be deemed to have fully complied with the requirements of this section when he has furnished the purchaser, before consummation of the sale, an itemization in writing which clearly discloses:

(1) The delivered price of the motor vehicle, including accessories or extras, if any; and

(2) The amounts to be credited as down payment and trade-in, if any; and

(3) The time balance owed by the buyer to seller, the amount of each installment payment to be made by the buyer, and the number of such installment payments, and the due dates thereof; and

(4) The cost of insurance,[2] the coverage provided, and the party or parties to whom the insurance is payable; and

(5) The finance charge; and

(6) Other charges making up the total consideration paid or to be paid by the purchaser, included in the time balance, the amounts and nature of each to be separately stated;

or when all said required information is clearly set forth in the installment sales contract, chattel mortgage, or other instrument evidencing the purchase transaction, and a true copy of such instrument is furnished to the purchaser before or at the time of the execution thereof.

Provided, however, That subparagraphs (1), (2), (3), (4), and (5) of this paragraph need not be stated in the sequence or order above set forth, and that additional items may be included which serve to explain the calculations involved in determining the stated time balance to be paid by the purchaser: *And provided further,* That when all the said required information is clearly set forth in an installment sales contract, chattel mortgage, or other instrument evidencing the purchase transaction, and a true copy of such instrument is furnished to the purchaser before or at the time of his execution thereof, no additional itemization need be furnished to the purchaser.

(c) In connection with the installment sale of motor vehicles, it is an unfair trade practice for any financing institution to aid or abet a seller in effecting concealment or nondisclosure to the purchaser of the information required to be furnished to the purchaser under the provisions of paragraph (a) of this section. [Rule 2].

§ 197.3 *Installment sales contract containing blank spaces to be filled in after its execution.* In the execution of an installment sales contract, it is an unfair trade practice for the seller to utilize the device of having the purchaser sign a contract or receipt in blank, to be filled in subsequently by the seller or financing institution with the purpose or effect of deceiving the purchaser.

NOTE: Nothing in this section shall be construed as prohibiting unfilled blanks for insertion of identifying serial numbers and identifying marks when knowledge concerning such numbers or marks is not available to the dealer at the time of the execution of the contract; *Provided,* That there is a clear and sufficient description of the motor vehicle which shall be fully adequate to identify it readily; *And provided further,* That such identifying numbers and identifying marks are subsequently inserted in the contract upon the delivery of the motor vehicle.

[Rule 3]

§ 197.4 *False, misleading, or deceptive use of rate charts in connection with the installment sale and financing of motor vehicles.* It is an unfair trade practice for any seller or financing institution, either individually, or in agreement, combination, conspiracy or collusion with each other, through the misuse of a rate or rate charts, or any other device or in any other manner, to make a false, misleading, or deceptive representation to the purchaser of a motor vehicle as to the finance charge required by a financing institution to finance the amount of the unpaid balance of the contract. [Rule 4]

§ 197.5 *Requiring the placing of insurance by the seller or financing institution as a condition to the sale or financing of a motor vehicle.* It is an unfair trade practice for any seller or financing institution, either individually or in agreement or collusion with each other, to condition the installment sale or financing of a motor vehicle on the purchase of an insurance policy from a particular insurance company when equivalent or better coverage by another insurance company is available and the purchaser desires to purchase the policy of such other company, where the effect of such conditioning may be to substantially lessen, stifle, or suppress competition. This section shall not prevent the exercise by the financing institution of the right to approve or disapprove for good cause the insurance company selected to underwrite the insurance. [Rule 5]

Issued: January 31, 1951.

Promulgated by the Federal Trade Commission February 6, 1951.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-1787; Filed, Feb. 5, 1951; 8:45 a. m.]

[2] If at the time of the sale the seller does not know the precise cost of the insurance and cannot ascertain same without unreasonable delay, he may state an estimate of such cost when such estimate is based upon the applicable rate or rates specified in a current rate manual of a recognized standard insurance rating bureau, or upon the applicable rate or rates specified in a rate chart approved by a state insurance administrator of the state in which the motor vehicle is to be kept; *Provided, however,* That when the cost of the insurance is so estimated the itemization to be furnished to the purchaser shall so state, and in conjunction it shall be stated in said itemization that the difference between the estimated cost and the actual cost, and the portion of the finance charge which is based on any overcharge, will be adjusted at the time of the payment of the final installment.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[GCPR, Supp. Reg. 2]

RETAIL COAL DEALERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 2 to the General Ceiling Price Regulation is hereby issued.

Statement of Considerations

The retail coal industry is highly competitive and its product has been in surplus supply. Its prices have not been influenced by conditions developing since the Korean outbreak.

Prices for retail solid fuels reflect the cost of the product at the mine or preparation plant, transportation charges to the retail yard, handling at the yard and delivery to customers. Ceiling prices at the mine, one of the principal components in retail prices, had advances authorized effective February 1, 1951, under Ceiling Price Regulations Nos. 3 and 4, which will have the effect of shrinking the retailer's margin unless provision for adjustment is made. Retail solid fuel prices are subject to General Ceiling Price Regulation of January 26, 1951.

In order that there will be no disruption in the retail solid fuels industry, especially since a good part of the heating season remains, it is imperative that provision be made that a mine price increase may be added to retail prices. Otherwise many of the retail dealers will undergo serious financial hardship. The immediate relief contemplated is based upon actual advances in mine prices and does not change the retailer's margin.

Increases in ceiling mine prices averaged 25 cents per ton on bituminous and other soft coal and 90 cents per ton on anthracite. These increases will differ between mines in the soft coal industry and between sizes in the anthracite industry.

This supplementary regulation is an interim measure until a permanent industry regulation can be prepared and put into effect.

Findings of the Director of Price Stabilization

In the judgment of the Director of Price Stabilization the provisions of Supplementary Regulation 2 to General Ceiling Price Regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret, or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SECTION 1. *Applicability of supplementary regulation.* This supplementary regulation grants authority to retail coal dealers to increase the ceiling prices on certain sizes and kinds of coal sold by them in the 48 States of the United States, the District of Columbia, and the territories and possessions of the United States.

SEC. 2. *Definitions.* When used in this part, the term:

(a) All definitions used in the General Ceiling Price Regulation, issued by the Director on January 26, 1951, which are pertinent to this supplementary regulation, are incorporated in this supplementary regulation by this reference, except those which are more particularly defined and used herein.

(b) "Retail coal dealer" means any person (including the retail outlet, branch or department, of one who is also a producer or wholesaler) to the extent that he sells, delivers, or disposes of coal in a transaction involving the disposal of coal physically handled in a truck, wagon or other less-than-carload facility, without regard to quantity or frequency of delivery.

(c) "Producer" means a person engaged in the business of mining or preparing coal at a preparation plant, and any person acting as an agent of a producer in the sale of coal.

(d) "Coal" means (1) bituminous coal, including all bituminous, semi-bituminous and sub-bituminous coal; (2) lignite coal; (3) Virginia anthracite; and (4) Pennsylvania anthracite.

(e) "Ton" means a short or net ton of 2,000 pounds.

(f) "Distributor" means a person who purchases coal f. o. b. transportation facilities at a mine or preparation plant for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling such coal, and any person acting as an agent of a distributor.

(g) "F. o. b. mine" means free on board transportation facilities at a mine, a preparation plant or other loading facilities (not including ground storage facilities).

SEC. 3. *Authority to increase ceiling prices.* (a) On and after the 3d day of February 1951, each retail coal dealer may increase the ceiling prices of each size and kind of coal he sells and delivers, determined under the provisions of the General Ceiling Price Regulation issued by the Director of the Office of Price Stabilization on January 26, 1951, by the actual dollar-and-cents per ton amount of increase in the f. o. b. mine price on each such size or grade charged by the retail coal dealer's supplier, either producer or distributor, under the authority of Ceiling Price Regulation No. 3 (Coal, except Pennsylvania Anthracite, delivered from mine or preparation plant) and Ceiling Price Regulation No. 4 (Anthracite delivered from mine or preparation plant), both issued by the Director on February 1, 1951.

(b) The authority to increase base period ceiling prices shall be effective only upon receipt by the retail dealer of an acknowledgment of an order for coal, the shipping notice, and a written statement of the price increase required of the producers under Ceiling Price Regulations Nos. 3 and 4, respectively, showing the exact dollars-and-cents amount of increase the producer has added to the price of his coal under the authority of the aforesaid regulations.

(c) Where purchases of coal are made by a retail coal dealer from suppliers from which no purchases were made during the base period, the retail coal dealer's ceiling price on such coal shall be determined by adding his base period dollar-and-cents margin on a sale of a comparable coal customarily handled which is most nearly like the sale he will make of the new coal.

(d) An unequipped dealer, who is a retail coal dealer without yard facilities or scales, may increase his base period ceiling prices for each size and kind of coal by the exact dollar-and-cents amount of the increase in price charged to him by the retail coal dealer. On sales to unequipped dealers the retail coal dealer shall certify on the sales slip or invoice the exact amount of the increase in price he is hereunder allowed to charge on each such size or grade of coal.

SEC. 4. *Miscellaneous.* The retail coal dealer subject to this supplementary regulation shall be subject to all other provisions of the General Ceiling Price Regulation which are not inconsistent with the provisions hereof, including, but not limited to, the enforcement and penalty provisions thereof, and the requirement of keeping on file for inspection a statement of his ceiling prices.

Effective date. This supplementary regulation to the General Ceiling Price Regulation shall become effective on the 3d day of February 1951.

NOTE: The record-keeping and reporting requirements of this supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 2, 1951.

[F. R. Doc. 51-1936; Filed, Feb. 5, 1951; 10:18 a. m.]

[CPR 5]

IRON AND STEEL SCRAP

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) and Executive Order 10161 (15 F. R. 6105), and in accordance with Economic Stabilization Agency General Order No. 2 (16 F. R. 738): *It is hereby ordered,* That price ceilings on the sale of iron and steel scrap shall be effective as provided in this Ceiling Price Regulation No. 5. A statement of the considerations involved in the issuance of this regulation is incorporated hereinafter as Appendix A.

AUTHORITY: Sections 1 to 33 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SCOPE OF THE REGULATION

SECTION 1. *Prohibitions against dealing in iron and steel scrap at prices above the ceiling.* On and after the 7th day of February 1951, regardless of any contract or other obligation:

(a) No person shall sell or deliver iron or steel scrap to a consumer of scrap or his broker at prices higher than the ceiling prices established by this regulation;

(b) No person shall sell, deliver, buy or receive prepared iron or steel scrap at prices higher than the applicable ceiling prices established by this regulation;

(c) No industrial producer or railroad or governmental agency (whether federal, state or local) shall sell or deliver unprepared iron or steel scrap to any person at prices higher than the applicable ceiling prices established by this regulation. No person shall buy or receive unprepared iron or steel scrap from

such industrial producer or railroad or governmental agency at prices higher than the applicable ceiling prices established by this regulation;

(d) No consumer of scrap or his broker shall buy or receive iron or steel scrap at prices higher than the ceiling prices established by this regulation;

(e) No person shall export or sell iron or steel scrap to an exporter at prices higher than the ceiling prices established by this regulation;

(f) No person shall charge or pay a fee for the service of preparing iron or scrap in excess of the ceiling preparation charges established by this regulation;

(g) No person shall sell or deliver iron or steel scrap upon condition that the buyer shall sell or deliver to any person any other commodity. No person shall buy or receive iron or steel scrap upon the condition that he shall sell or deliver to any person any other commodity;

(h) No person shall act as both broker and dealer in the purchase of any single lot or item of iron or steel scrap, where the price paid for such lot or item of iron or steel scrap would exceed the applicable ceiling prices established by this regulation;

(i) No person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Geographical application.* This regulation shall apply to sales, deliveries, and preparation of iron or steel scrap in the forty-eight states of the United States and the District of Columbia.

CEILING PRICES

SEC. 3. *Basing point prices for steel scrap of dealer and industrial origin*—(a) *Basing point prices from which maximum shipping prices are computed*—(1) *Basing point prices for the base grade, No. 1 heavy melting steel, Grade 1:*

Basing point:	Price per gross ton
Alabama City, Ala	$39.00
Ashland, Ky	42.00
Atlanta, Ga	39.00
Bethlehem, Pa	42.00
Birmingham, Ala	39.00
Brackenridge, Pa	44.00
Buffalo, N. Y	43.00
Butler, Pa	44.00
Canton, Ohio	44.00
Chicago, Ill	42.50
Cincinnati, Ohio	43.00
Claymont, Del	42.50
Cleveland, Ohio	43.00
Coatesville, Pa	42.50
Conshohocken, Pa	42.50
Detroit, Mich	40.00
Duluth, Minn	40.00
Harrisburg, Pa	42.50
Houston, Tex	37.00
Johnstown, Pa	44.00
Kansas City, Mo	39.50
Kokomo, Ind	42.00
Los Angeles, Calif	35.00
Middletown, Ohio	43.00
Midland, Pa	44.00
Minnequa, Colo	38.00
Monessen, Pa	44.00
Phoenixville, Pa	42.50
Pittsburg, Calif	35.00
Pittsburgh, Pa	44.00
Portland, Oreg	35.00
Portsmouth, Ohio	42.00
St. Louis, Mo	41.00
San Francisco, Calif	35.00
Seattle, Wash	35.00
Sharon, Pa	44.00
Sparrows Point, Md	42.00
Steubenville, Ohio	$44.00
Warren, Ohio	44.00
Weirton, W. Va	44.00
Youngstown, Ohio	44.00

(2) *Differentials per gross ton above or below the price of Grade 1 (No. 1 heavy melting steel) for other grades of steel scrap.*

Grades:	Differentials
OPEN HEARTH AND BLAST FURNACE GRADES	
2. No. 2 heavy melting steel	−$2.00
3. No. 1 busheling	Base
4. No. 1 bundles	Base
5. No. 2 bundles	−3.00
6. Machine shop turnings	−10.00
7. Mixed borings and short turnings	−6.00
8. Shoveling turnings	−6.00
9. No. 2 busheling	−4.00
10. Cast iron borings	−6.00
ELECTRIC FURNACE AND FOUNDRY GRADES	
11. Billet, bloom and forge crops	+7.50
12. Bar crops and plate scrap	+5.00
13. Cast steel	+5.00
14. Punchings and plate scrap	+2.50
15. Electric furnace bundles	+2.00
16. Cut structural and plate scrap 3' and under	+3.00
17. Cut structural and plate scrap 2' and under	+5.00
18. Cut structural and plate scrap 1' and under	+6.00
19. Briquetted cast iron borings	Base
20. Foundry steel, 2 feet and under	+2.00
21. Foundry steel, 1 foot and under	+4.00
22. Springs and crankshafts	−1.00
23. Alloy free turnings	−3.00
24. Heavy turnings	−1.00
SPECIAL GRADES	
25. Briquetted turnings	Base
26. No. 1 chemical borings	−3.00
27. No. 2 chemical borings	−4.00
28. Wrought iron	+10.00
29. Shafting	+10.00

(b) *Restrictions on use.* (1) The prices established for Grade 11 (billet, bloom and forge crops), Grade 23 (alloy free turnings) and Grade 24 (heavy turnings) may be charged only when shipped to a consumer directly from an industrial producer of such grades; otherwise the ceiling prices for such grades shall not exceed the prices established for the corresponding grades of basic open hearth and blast furnace scrap.

(2) The prices established for Grade 26 (No. 1 chemical borings) and Grade 27 (No. 2 chemical borings) may be charged only when such grades are sold for use for chemical or annealing purposes; otherwise the ceiling prices for such grades shall not exceed the price established for Grade 10 (cast iron borings).

(3) The price established for Grade 28 (wrought iron) may be charged only when sold to a producer of wrought iron; otherwise the ceiling price for such grade shall not exceed the ceiling price established for the corresponding grade of basic open hearth.

(c) *Special pricing provisions.* (1) Sellers of Grade 26 (No. 1 chemical borings) and Grade 27 (No. 2 chemical borings) may make an extra charge of $1.50 per gross ton for loading in boxcars or 75 cents per gross ton for covering gondola cars with a weather-resistent covering.

(2) The ceiling price of pit scrap, ladle scrap, salamander scrap, skulls, skimmings or scrap recovered from slag dumps and prepared to charging box size, shall be computed by deducting from the price of No. 1 heavy melting steel of dealer and industrial origin, the following amounts:

Where the iron content is 85 percent and over	−$4.00
Where the iron content is 75 percent and over	−6.00
Where the iron content is less than 75 percent	−10.00

(3) The ceiling price of any inferior grade of iron or steel scrap not listed in section 3 (a) (2) hereof shall not exceed the price of No. 1 heavy melting steel less $15.00.

SEC. 4. *Ceiling shipping point prices for steel scrap of dealer and industrial origin.* (a) For shipping points located within a basing point named in section 3 hereof, the ceiling shipping point price for any grade of steel scrap shall be the price established at such basing point, minus the applicable switching charge deduction set forth in section 5 hereof.

(b) For shipping points located outside the basing points named in section 3 hereof, the ceiling shipping point price of any grade of iron or steel scrap shall be the price established for the scrap at the most favorable basing point, minus the lowest established charge for transporting scrap from the shipping point to such basing point by rail or water carrier, or combination thereof. (The most favorable basing point is the basing point named in section 3 hereof which will yield the highest shipping point price.)

(c) Where water rates are involved in the computations under paragraph (b) of this section the following additional deductions must be made. A flat charge of $1.25 per gross ton for dock charges, except, however, that at Memphis, Tennessee, the deduction shall be 95 cents per gross ton; at Great Lakes ports, $1.50 per gross ton; and at New England ports, $1.75 per gross ton.

Where the shipping point is located outside of the switching district of the city from which the water rate is applicable, the lowest established charge for transporting scrap by rail from the shipping point to the f. a. s. vessel point must be deducted. No deduction for switching charges need be made where the shipping point is located within the switching district of the city from which the water rate is applicable. If there is no established charge for transporting scrap by rail from the shipping point to the f. a. s. vessel point, water rates may not be used in computing shipping point prices.

(d) The ceiling shipping point price for No. 1 heavy melting steel (with differentials established in section 3 hereof for all other grades) at all shipping points in New York City (or Brooklyn, New York) shall be $36.99 per gross ton.

(e) Ceiling shipping point prices at all shipping points in Hudson and Bergen Counties, New Jersey, shall be computed from the Bethlehem, Pa., basing point.

(f) Ceiling shipping point prices at all shipping points in the State of New Jer-

sey shall be computed by the use of all rail transportation charges.

(g) The ceiling shipping point price for No. 1 heavy melting steel (with differentials established in section 3 hereof for all other grades) need not fall below $32.00 per gross ton.

SEC. 5. *Switching charge deductions.* The switching charges to be deducted from the basing point price of dealer and industrial scrap as set forth in section 3 hereof, or the basing point price of non-operating railroad scrap, as set forth in section 7 hereof, in order to determine the ceiling shipping point prices for such scrap originating in basing points, are as follows:

(a) Basing point:

	Dollars per gross ton
Alabama City, Ala	$0.43
Ashland, Ky	.47
Bethlehem, Pa	.52
Birmingham, Ala	.50
Brackenridge, Pa	.53
Buffalo, N. Y	.83
Butler, Pa	.65
Atlanta, Ga	.51
Canton, Ohio	.51
Chicago, Ill	1.34
Cincinnati, Ohio	.65
Claymont, Del	.79
Cleveland, Ohio	.76
Coatesville, Pa	.50
Conshohocken, Pa	.20
Detroit, Mich	.95
Duluth, Minn	.50
Harrisburg, Pa	.51
Houston, Tex	.57
Johnstown, Pa	.75
Kansas City, Mo	.78
Kokomo, Ind	.51
Los Angeles, Calif	.66
Middletown, Ohio	.26
Midland, Pa	.75
Minnequa, Colo	.33
Monessen, Pa	.51
Phoenixsville, Pa	.51
Pittsburg, Calif	.65
Pittsburgh, Pa	.99
Portland, Oreg	.52
Portsmouth, Ohio	.51
St. Louis, Mo	.51
San Francisco, Calif	.66
Settle, Wash	.59
Sharon, Pa	.75
Sparrows Point, Md	.20
Steubenville, Ohio	.51
Warren, Pa	.75
Weirton, W. Va	.70
Youngstown, Ohio	.75

(b) The Pittsburgh, Pa., basing point includes the switching districts of Bessemer, Homestead, Duquesne and Munhall, Pa.

(c) The Cincinnati, Ohio, basing point includes the switching district of Newport, Ky.

(d) The St. Louis, Mo., basing point includes the switching districts of Granite City, East St. Louis and Madison, Ill.

(e) The San Francisco, Calif., basing point includes the switching districts of South San Francisco, Niles and Oakland, Calif.

(f) The Claymont, Del., basing point includes the switching districts of Chester, Pa.

(g) The Chicago, Ill., basing point includes the switching district of Gary, Ind.

(h) The Los Angeles, Calif., basing point includes the Firestone switching district.

SEC. 6. *Ceiling delivered prices for shipment by rail, vessel, or combination thereof, for steel scrap of dealer and industrial origin.* (a) The ceiling delivered price of any grade of steel scrap delivered by rail, vessel, or combination thereof, shall be the shipping point price as determined in section 4 hereof, plus the actual charge for transporting the scrap from the shipping point to the point of delivery by the means of transportation employed.

(b) If delivery to the consumer involves vessel movement, the actual charges incurred at a public dock may be added to the actual transportation charges. Where the dock facilities are owned or controlled by the shipper of the scrap, a maximum charge of $1.25 per gross ton may be added to the actual transportation charges; except that the maximum charge shall be 95 cents per gross ton at Memphis, Tenn., $1.50 per gross ton at any Great Lakes port, or $1.75 per gross ton at any New England port.

(c) In the case of water movement by deck scow or railroad lighter, no established charges at the dock or any charge or cost customarily incurred at the dock may be included in the delivered price. In lieu thereof a maximum charge of $1.25 per gross ton may be included in the delivered price.

SEC. 7. *Basing point prices for steel scrap of railroad origin*—(a) *Basing point prices from which ceiling on-line and ceiling delivered prices are computed*—(1) *Basing point prices for the base grade, No. 1 railroad heavy melting steel, Grade 1.*

	Price per gross ton
Alabama City, Ala	$41.00
Ashland, Ky	44.00
Atlanta, Ga	41.00
Bethlehem, Pa	44.00
Birmingham, Ala	41.00
Brackenridge, Pa	46.00
Buffalo, N. Y	45.00
Butler, Pa	46.00
Canton, Ohio	46.00
Chicago, Ill	44.50
Cincinnati, Ohio	45.00
Claymont, Del	44.50
Cleveland, Ohio	45.00
Coatesville, Pa	44.50
Conshohocken, Pa	44.50
Detroit, Mich	42.00
Duluth, Minn	42.00
Harrisburg, Pa	44.50
Houston, Tex	39.00
Johnstown, Pa	46.00
Kansas City, Mo	41.50
Kokomo, Ind	44.00
Los Angeles, Calif	37.00
Middletown, Ohio	45.00
Midland, Pa	46.00
Minnequa, Colo	40.00
Monessen, Pa	46.00
Phoenixville, Pa	44.50
Pittsburg, Calif	37.00
Pittsburgh, Pa	46.00
Portland, Oreg	37.00
Portsmouth, Ohio	44.00
St. Louis, Mo	43.00
San Francisco, Calif	37.00
Seattle, Wash	37.00
Sharon, Pa	46.00
Sparrows Point, Md	44.00
Steubenville, Ohio	46.00
Warren, Ohio	46.00
Weirton, W. Va	46.00
Youngstown, Ohio	46.00

(2) *Differentials per gross ton above or below the price of Grade 1 (No. 1 railroad heavy melting steel) for other grades of railroad steel scrap.*

Grades:	*Differentials*
2. No. 2 heavy melting steel	−$2.00
3. No. 2 steel wheels	Base
4. Hollow bored axles	Base
5. No. 1 busheling	−3.50
6. No. 1 turnings	−3.00
7. No. 2 turnings, drillings and borings	−12.00
8. No. 2 cast steel	−6.00
9. Uncut frogs and switches	Base
10. Flues, tubes and pipes	−8.00
11. Structural, wrought iron and/or steel, uncut	−6.00
12. Destroyed steel cars	−8.00
13. No. 1 sheet scrap	−9.50
14. Scrap rails, random lengths	+2.00
15. Rerolling rails	+7.00
16. Cut rails, 3 feet and under	+5.00
17. Cut rails, 2 feet and under	+6.00
18. Cut rails, 18 inches and under	+8.00
19. Cast steel No. 1	+3.00
20. Uncut tires	+2.00
21. Cut tires	+5.00
22. Uncut bolsters and side frames	Base
23. Cut bolsters and side frames	+3.00
24. Angle and splice bars	+5.00
25. Solid steel axles	+12.00
26. Steel wheels, No. 3 oversize	Base
27. Steel wheels, No. 3	+5.00
28. Spring steel	+5.00
29. Couplers and knuckles	+5.00
30. Wrought iron	+8.00

(b) *Restrictions on use.* (1) The price established for grade 15 (rerolling rails) may be charged only when purchased and sold for rerollling use; otherwise, the ceiling price for such grade shall not exceed the ceiling price established for grade 14 (scrap rails in random lengths). (The term "rerolling rails" includes any rails which are sold to be used for rerolling, irrespective of whether or not such rails are usable for relaying).

(2) The price established for grade 30 (Wrought Iron) may be charged only when sold to a producer of Wrought Iron; otherwise, the ceiling price for such grade shall not exceed the ceiling price established for the base grade, No. 1 railroad heavy melting steel.

SEC. 8. *Ceiling on-line prices for steel scrap of railroad origin.* The term "on-line prices" means the ceiling prices that the originating railroad may charge for scrap delivered to a consumer located on the line of the railroad.

(a) *On-line prices for operating railroads operating in a basing point.* The ceiling on-line price of any grade of steel scrap originating from an operating railroad operating in a basing point named in section 7 hereof shall be the price established in that section for the scrap at the highest priced basing point in which the railroad operates.

(b) *On-line prices for operating railroads not operating in a basing point.* The ceiling on-line price of any grade of steel scrap originating from an operating railroad not operating in a basing point named in section 7 hereof shall be the price established for the scrap at the most favorable basing point named in that section minus the foreign line proportion of the lowest established charge for transporting scrap by rail from the scrap accumulation point of

the railroad to such basing point. (The "scrap accumulation point" shall be that point from which the greatest tonnage of scrap was shipped in the calendar year 1950.) The ceiling on-line prices of No. 1 railroad heavy melting steel need not fall below $34.00 per gross ton (with differentials established in section 7 hereof for all other grades).

The "most favorable basing point" is the basing point named in section 7 hereof which will yield the highest ceiling on-line price.

On and after the effective date of this regulation, no operating railroad not operating in a basing point named in section 7 hereof may sell or offer to sell iron and steel scrap to a consumer or his broker (without obtaining prior written approval from the Office of Price Stabilization) unless it has filed with the Office of Price Stabilization, Washington 25, D. C., a statement in writing setting forth its ceiling on-line price for No. 1 railroad heavy melting steel and describing the method by which the said ceiling on-line price was calculated and such statement has been approved in writing by the Office of Price Stabilization, Washington, D. C. The statement shall include: the most favorable basing point selected, the price at such basing point, the location of the scrap accumulation point, the lowest established charge for transporting scrap by rail from such accumulation point to the named basing point, and the foreign line proportion of such lowest established charge.

(c) *Non-operating railroad.* (1) The ceiling on-line (or shipping point) price of any grade of steel scrap originating from a non-operating railroad shall be the price established for the scrap at the most favorable basing point named in section 7 hereof minus the lowest established charge for transporting scrap by rail from the scrap accumulation point of the railroad to such basing point. (The "scrap accumulation point" shall be that point from which the greatest tonnage of scrap was shipped in the calendar year 1950; except, that the non-operating railroad may be permitted to use more than one accumulation point upon filing with the Office of Price Stabilization notice thereof showing the tonnage shipped from such additional point during 1950). The ceiling on-line price of No. 1 railroad heavy melting steel need not fall below $34.00 per gross ton (with differentials established in section 7 hereof for all other grades). The "most favorable basing point" is the basing point named in section 7 hereof which will yield the highest ceiling on-line or shipping point price.

(2) Where the non-operating railroad is located within a basing point set forth in section 7 hereof, the switching charge deductions established in section 5 hereof shall be applicable.

SEC. 9. *Ceiling delivered prices for shipment by rail, vessel, or combination thereof, for steel scrap of railroad origin*—(a) *When delivered to a consumer located on the line of a railroad.* The ceiling delivered price of any grade of steel scrap originating from an operating railroad and delivered to a consumer's plant located on the line of that railroad shall be the ceiling on-line price established in section 8 hereof.

(b) *When delivered to a consumer located off the line of the originating railroad.* The ceiling delivered price of any grade of steel scrap originating from an operating railroad and delivered to a consumer located off the line of that railroad, by rail, vessel or combination thereof, shall be the ceiling on-line price established in section 8 hereof, plus the foreign line proportion of the through rate from the point of shipment to the consumer's plant via the junction nearest such plant in terms of transportation charges, or the commercial rate from such nearest junction to the consumer's plant (unless off-line routing at another point is directed by order of a government agency). In no case may a railroad seller participate in the transportation charges incurred in off-line delivery of scrap unless the ceiling on-line price for the scrap is reduced by the amount of the participation in the off-line charges.

(c) *When delivered to a consumer from a non-operating railroad.* The ceiling delivered price of any grade of steel scrap originating from a non-operating railroad shall be the ceiling price established in section 8 (c) hereof, plus transportation charges to the point of delivery. Such transportation charges shall be computed in the same manner as charges allowable under section 6 or 15 hereof for dealer or industrial scrap.

SEC. 10. Ceiling prices for railroad *steel scrap sold by sellers other than railroads.* (a) Railroad steel scrap prepared by a dealer or moving through a dealer's yard (except for unprepared scrap prepared in-transit pursuant to section 15 hereof) or sold by any other person than a railroad as defined in this regulation, shall be classified and priced under sections 3 and 4 hereof except that for Grades Nos. 3, 4, 8, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 of steel scrap set forth in section 7 (a) (2) hereof, the ceiling shipping point prices shall be the same as those established for non-operating railroads in section 8 (c) hereof, and the ceiling delivered prices shall be the same as those established for non-operating railroads in section 9 (c) hereof.

(b) Where a dealer or contractor demolishes railroad equipment on the property of, or in a yard provided exclusively for that purpose by the railroad awarding the contract, the resultant railroad scrap may be sold at prices not in excess of the ceiling prices established in section 8 (c) hereof for non-operating railroads; *Provided,* That in each case the dealer or contractor awarded such contract by a railroad reports to the Office of Price Stabilization, Washington 25, D. C., within 7 days after the award of the contract the name of the selling railroad, the type of equipment involved, the location at which demolition will take place, and the estimated tonnage of each grade of scrap resulting; also such other relevant information as he considers necessary or advisable to explain the transaction.

SEC. 11. *Ceiling shipping point and ceiling on-line prices for all cast iron scrap.* (a) The ceiling price per gross ton for any of the following grades of cast iron scrap shall be the price shown in the following table, f. o. b. the shipping point:

Grades:	Price per gross ton
1. Cast iron No. 1 (cupola cast)	$49.00
2. Cast iron No. 2 (charging box cast)	47.00
3. Cast iron No. 3 (heavy breakable cast)	45.00
4. Cast iron No. 4 (burnt cast)	41.00
5. Cast iron brake shoes	41.00
6. Stove plate	46.00
7. Clean auto cast	52.00
8. Unstripped motor blocks	43.00
9. Wheels No. 1	47.00
10. Malleable	55.00
11. Drop broken machinery casts	52.00

(b) *Restrictions on use.* (1) The ceiling shipping point or on-line price which a basic open hearth consumer may pay for cast iron No. 1 (cupola cast), wheels No. 1, clean auto cast or malleable shall be the ceiling price established for cast iron No. 3 (heavy breakable cast).

(2) The ceiling shipping point or online price which any foundry consumer other than a malleable iron producer may pay for Grade 10 (malleable) shall be the ceiling price established for cast iron No. 1 (cupola cast).

SEC. 12. *Ceiling delivered prices for shipment by rail, vessel, or combination thereof, for all cast-iron scrap.* (a) The ceiling delivered price for shipment by rail, vessel, or combination thereof of any grade of cast iron scrap of dealer or industrial origin shall be the shipping point price as determined in section 11 hereof plus the actual charge for transporting the scrap from the shipping point to the point of delivery by the means of transportation employed. If delivery to the consumer involves water movement the actual charges incurred at a public dock may be added to the actual transportation charges. Where the dock facilities are owned or controlled by the shipper of the cast-iron scrap, the following maximum dock charges may be added to the actual transportation charges: At Memphis, Tenn., 95 cents per gross ton; at any Great Lakes port, $1.50 per gross ton; at all New England ports, $1.75 per gross ton; and at all other ports, $1.25 per gross ton.

SEC. 13. *Ceiling delivered prices for shipment by truck for all steel or cast-iron scrap.* (a) Where delivery of any grade of iron or steel scrap is made by public carrier truck, the ceiling delivered price shall be the ceiling shipping point price, or in the case of railroad scrap, the ceiling on-line price, as established in section 4, 8, 10 or 11 hereof, whichever is applicable, plus the actual public carrier charge.

(b) Where delivery of any grade of iron or steel scrap is made in a truck owned or controlled by the shipper or broker of the scrap, the ceiling delivered price shall be the ceiling shipping point price, or in the case of railroad scrap, the ceiling on-line price, as established in section 4, 8, 10 or 11 hereof, whichever is applicable, plus the established rail carload freight rate for shipping scrap from the rail siding nearest the shipping point to the rail siding nearest the point

of delivery, except that, the transportation charge for delivering any grade of iron or steel scrap in a truck owned or controlled by the shipper shall not be in excess of $4.00 and need not fall below $2.50 per gross ton.

GENERAL PROVISIONS

SEC. 14. *Unlisted grades.* If the seller is unable to determine a ceiling price for any grade of iron or steel scrap under the applicable provisions hereof (which, in the opinion of the Director of Price Stabilization, provide adequate pricing instructions for all recognized grades), he shall file an application for approval of a ceiling price with the Office of Price Stabilization, Washington 25, D. C. The application shall set forth: (a) A complete description of the material, and (b) the ceiling price being requested.

The seller may not deliver or sell at his requested price until he has received written approval of the price from the Office of Price Stabilization.

SEC. 15. *Intransit preparation.* (a) A consumer may designate a dealer or dealers to prepare steel scrap of dealer and industrial origin intransit on a preparation fee basis under one of the following circumstances:

(1) Where unprepared steel scrap of dealer and industrial origin is allocated for preparation intransit by the National Production Authority.

(2) Where a consumer purchases unprepared scrap of dealer and industrial origin in rail carload lots.

(3) Where Grade 6 (machine shop turnings) or other grades of long or bushy turnings are allocated by the National Production Authority in rail carload lots to a consumer, or where a consumer purchases such turnings in rail carload lots for crushing.

(4) Where Grade 10 (cast iron borings) is allocated by the National Production Authority to a consumer for briquetting.

(b) A consumer may designate a dealer or dealers to prepare steel scrap of railroad origin intransit on a preparation fee basis only where a consumer without adequate preparation facilities purchases unprepared steel scrap from an originating railroad.

(c) A consumer may designate a dealer or dealers to prepare cast iron scrap intransit on a preparation fee basis where such consumer is without adequate preparation facilities.

(d) No fee may be paid to the person preparing scrap intransit pursuant to the provisions of this section if the scrap originates in the preparer's yard or if title to the scrap resides in the preparer at any time after the scrap leaves its shipping point, unless such scrap is allocated by the National Production Authority.

(e) The maximum preparation fee for preparing any grade of iron or steel scrap intransit shall be the applicable fee established in section 16 hereof.

(f) Whenever intransit preparation of iron or steel scrap is permissible pursuant to the provisions of this section, the ceiling delivered price shall be the ceiling shipping point price or ceiling on-line price for unprepared scrap plus the rail transportation charges incurred in moving the scrap to the point of preparation, plus the applicable ceiling preparation fee as established in section 16 hereof, plus the transportation charges from the preparation yard to the point of delivery as established and restricted in section 6, 9, 12 or 13 hereof, whichever is applicable.

SEC. 16. *Ceiling preparation charges.* (a) The ceiling fees which may be charged for intransit preparation of any grade of steel scrap of dealer or industrial origin which is allocated by the National Production Authority to a consumer, shall be as follows:

(1) For preparing into Grade No. 1 (No. 1 heavy melting steel), Grade No. 2 (No. 2 heavy melting steel) or Grade No. 3 (No. 1 busheling), $8.00 per gross ton.

(2) For hydraulically compressing Grade No. 4 (No. 1 bundles), $6.00 per gross ton or Grade No. 5 (No. 2 bundles), $8.00 per gross ton.

(3) For crushing Grade No. 6 (machine shop turnings), $3.00 per gross ton.

(4) For preparing into Grade No. 25 (briquetted turnings), $6.00 per gross ton.

(5) For preparing into Grade No. 19 (briquetted cast iron borings), $6.00 per gross ton.

(6) For preparing into Grade No. 12 (bar crops and plate scrap), Grade No. 13 (cast steel), Grade No. 14 (punchings and plate scrap), or Grade No. 18 (cut structural and plate scrap, 1 foot and under), $10.00 per gross ton.

(7) For preparing into Grade No. 17 (cut structural and plate scrap, 2 feet and under) or Grade No. 21 (foundry steel, one foot and under), $10.00 per gross ton.

(8) For preparing into Grade No. 16 (cut structural and plate scrap, 3 feet and under), or Grade No. 20 (foundry steel, two feet and under), $10.00 per gross ton.

(9) For hydraulically compressing Grade No. 15 (electric furnace bundles), $8.00 per gross ton.

(10) For preparing into Grade No. 28 (wrought iron), $10.00 per gross ton.

(b) The ceiling fees which may be charged for intransit preparation of any grade of steel scrap of railroad origin shall be as follows:

(1) For preparing into Grade No. 1 (No. 1 railroad heavy melting steel) and Grade No. 2 (No. 2 railroad heavy melting steel), $8.00 per gross ton.

(2) For hydraulically compressing Grade No. 13 (No. 1 sheet scrap), $6.00 per gross ton.

(3) For preparing into Grade No. 16 (Cut Rails, 3 feet and under), $4.00 per gross ton.

(4) For preparing into Grade No. 17 (Cut Rails, 2 feet and under), $5.00 per gross ton.

(5) For preparing into Grade No. 18 (Cut Rails, 18 inches and under), $7.00 per gross ton.

(6) For preparing into Grade No. 21 (cut tires), $4.00 per gross ton.

(7) For preparing into Grade No. 23 (cut Bolsters and side Frames), $4.00 per gross ton.

(c) The ceiling fees which may be charged for intransit preparation of cast iron shall be limited to the following: For preparing Grade No. 8 (unstripped motor blocks) into Grade No. 7 (clean auto cast), $9.00 per gross ton, and Grade No. 3 (heavy breakable cast) into Grade No. 1 (cast iron No. 1), $4.00 per gross ton.

(d) Whenever scrap has arrived at its point of delivery and the consumer engages a dealer to prepare such scrap, no fee may be charged or paid for such service unless the consumer obtains prior written approval from the Office of Price Stabilization, Washington 25, D. C.

(e) No preparation charge other than the charges set forth in this section may be made for the preparation of any grade of iron or steel scrap unless the consumer has secured prior written approval of such charge from the Office of Price Stabilization, Washington 25, D. C.

SEC. 17. *Premiums for alloy content.* With the exception of the premium specifically authorized in this section no premium may be charged for alloys contained in iron or steel scrap. Except as outlined below the premiums are not confined to a particular use.

(a) *Nickel.* A premium of $1.25 per gross ton for each ¼ of 1 percent may be charged in addition to the applicable ceiling price for No. 1 heavy melting steel where the scrap contains not less than 1 percent and not over 5.25 percent nickel.

(b) *Molybdenum.* A premium of $2.00 per gross ton may be charged in addition to the applicable ceiling price for No. 1 heavy melting steel for scrap containing not less than 0.15 percent molybdenum. A premium of $3.00 per gross ton may be charged in addition to the applicable ceiling price for No. 1 heavy melting steel for scrap containing not less than 0.65 percent molybdenum.

(c) *Manganese.* A premium of $4.00 per gross ton over the applicable basing point price for No. 1 heavy melting steel or No. 1 railroad heavy melting steel may be charged where scrap contains not less than 10 percent manganese and is in sizes larger than 12" x 24" x 8". A premium of $14.00 per gross ton over the applicable basing point price for No. 1 heavy melting steel or No. 1 railroad heavy melting steel may be charged where scrap contains not less than 10 percent manganese and is cut to sizes of 12" x 24" x 8" or smaller. The manganese premiums provided in this paragraph are only applicable if the scrap is sold for electric furnace use except on allocation by the National Production Authority.

(d) *Silicon.* The adjustments established under section 4 hereof for electric furnace, and foundry grades shall not be applicable if the scrap contains silicon between 0.5 percent and 1.75 percent.

(e) *Chromium.* Steel scrap conforming to SAE 52100 may command a premium of $1.00 per gross ton in addition to the applicable ceiling price for the corresponding grade when sold for electric furnace use only, but in no event shall the ceiling price plus the premium

provided herein exceed the ceiling price for No. 1 heavy melting steel plus $1.00.

(f) *Multiple alloys.* Where any grade of scrap contains two alloy elements for which premiums have been established in this section, the total premium may not exceed the ceiling premium for any one contained alloy.

SEC. 18. *Mixed shipments.* When grades of scrap commanding different ceiling prices under the provisions of this regulation are included in one vehicle, the ceiling price shall be the applicable ceiling price in section 4, 8, 10 or 11 hereof for the lowest grade contained in the vehicle, except when the grades are invoiced as separate grades and the grades are so loaded in the vehicle that they can readily be distinguished and separately weighed.

SEC. 19. *Commissions.* (a) No commission shall be payable on sales made under this regulation except by a consumer to a broker for brokerage services rendered to the consumer. Where scrap is allocated by the National Production Authority other than from a government agency, the seller may designate a broker. Where scrap is allocated by the National Production Authority from a governmental agency, the consumer may designate a broker. In the event that a broker purchases iron or steel scrap for sale to a consumer, such consumer may pay such broker a commission not exceeding $1.00 per gross ton. No commission shall be payable unless

(1) The broker is regularly and primarily engaged in the business of buying and selling iron and steel scrap;

(2) The broker guarantees the quality and delivery of an agreed tonnage of scrap;

(3) The scrap is purchased by the consumer at a price no higher than the ceiling prices established in this regulation;

(4) The broker sells the scrap to the consumer at the same price, with the same discounts and allowances, at which he purchased it, and does not include in the shipping point price any cost, fee, or charge incurred in placing the scrap at its shipping point;

(5) The broker does not split or divide the commission in whole or in part, with the seller or sellers of the scrap, or with another broker, or sub-broker, or with the consumer;

(6) The commission is shown as a separate item on the invoice.

(b) No commission shall be payable to a person for scrap which he prepares.

(c) No commission shall be payable to a person controlling, or holding directly or indirectly a substantial financial interest in the person preparing the scrap, or to a person employed or controlled by the person preparing the scrap, or to a person in whom the person preparing the scrap holds directly or indirectly a substantial financial interest or control.

SEC. 20. *Unprepared scrap.* (a) The term "unprepared scrap" shall have its customary trade meaning and shall not include such demolition projects as bridges, box cars or automobiles, which must be so priced that the prepared scrap will be delivered to the consumer within the ceiling delivered prices established by this regulation.

(b) For unprepared steel scrap other than materials suitable for hydraulic compression, the ceiling basing point prices shall be $8.00 per gross ton beneath the price of the prepared base grades, No. 1 heavy melting steel or No. 1 railroad heavy melting steel, as established in section 3 or 7.

(c) For unprepared material which when compressed constitutes No. 1 bundles the ceiling basing point price shall be $6.00 per gross ton beneath the ceiling basing point price for No. 1 bundles or when compressed constitutes No. 2 bundles the ceiling basing point price shall be $8.00 per gross ton beneath the ceiling basing point price for No. 2 bundles, as established in section 3 hereof.

(d) Any iron casting which cannot be broken with an ordinary drop into Grade No. 2 (cast iron No. 2) or Grade No. 1 (cast iron No. 1) as established in section 11 hereof may not be classified as Grade No. 3 (cast iron No. 3). Where such iron casting requiring blasting or other special preparation is sold to a consumer of scrap, the shipping point price for Grade No. 3 (cast iron No. 3) as established in section 11 hereof must be reduced by the amount of the additional charges required for preparation.

SEC. 21. *Transportation charges.* (a) The rail or vessel charges, or combination rail-vessel charges, used in computing ceiling shipping point or ceiling on-line prices in section 4 or 8 hereof need not reflect any increase in rates which became effective after January 1, 1951, nor need such charges reflect any transportation tax.

(b) Any tax imposed upon the transportation charges from the shipping point to the point of delivery, may be included in the ceiling delivery price.

(c) No vessel charge shall be deemed an established charge within the provisions of this regulation unless regular vessel movement of scrap, except for seasonal restrictions, is being made to the most favorable basing point as of the effective date of this regulation, as a customary business practice.

(d) Where rail or vessel charges vary because of seasonal factors, the lowest established charge shall be the lowest charge in effect at any time during the year.

SEC. 22. *Weights to govern.* (a) Except as otherwise provided in this section, settlement for all scrap shall be made on the basis of weights at the point of delivery.

(b) *Rail shipments.* If the consumer is a member of a weighing association, settlement shall be on the basis of mill weights. If the consumer does not have weighing facilities, settlement shall be made on the basis of railroad weights at the point of delivery.

No adjustment need be made for shortages of 500 pounds or less per car between shipping point weights and weights at the point of delivery. If the shortage exceeds 500 pounds per car, adjustment must be made for the full shortage.

(c) *Vessel shipment.* When shipment is wholly or partially by vessel, weights at the dock prior to vessel movement shall govern. If the scrap moves from the shipping point to the dock by rail and weights at the shipping point have been determined, no adjustment need be made for differences of 500 pounds or less per car between shipping point weights and weights at the dock. If the difference exceeds 500 pounds per car, adjustment must be made for the full shortage in the car.

SPECIFICATIONS

SEC. 23. *Steel grades of dealer and industrial origin.* All grades must be free of dirt, non-ferrous metals or foreign material of any kind and free of excessive rust and corrosion.

(a) *Basic open hearth and blast furnace grades*—(1) *No. 1 heavy melting steel.* Clean wrought iron or steel scrap ¼ inch and over in thickness, not over 18 inches in width and not over 5 feet in length. Individual pieces must be free from attachments, and so cut as to lie flat in the charging box. May include heavy forgings, forge butts, billet, bloom, slab or bar crops not conforming to chemical analysis required for electric furnace or acid open hearth use. May include new mashed pipe ends, original diameter 4 inches and over. May not include auto body and fender stock.

(2) *No. 2 heavy melting steel.* Wrought iron or steel scrap, black or galvanized, ⅛ inch and over in thickness, not over 18 inches in width and not over 5 feet in length. (Uncut bumpers and front axles of passenger automobiles, and uncut rear ends of passenger automobiles free of wheels and brake assemblies and drained of oil, may be included even though over 5 feet in length.) Individual pieces must be free from attachments and so cut as to lie flat in the charging box. May include pipe; heavy oil field or similar cable not less than 1 inch in diameter and cut to lengths of 3 feet or less; and car sides and light plate cut 15 inches by 15 inches or under. May not include auto body and fender stock.

(3) *No. 1 busheling.* Clean new wrought iron or steel scrap 1/16 inch and over in thickness, not exceeding 12 inches in any dimension, including new factory busheling 20 gauge or heavier (for example, sheet clippings, stampings, etc.) and steel cartridge cases 40 mm. or less. May not contain burnt material or auto body and fender stock. Must be free of metal coated, limed or porcelain enameled stock.

(4) *No. 1 bundles.* New black steel sheet scrap, clippings, or skeleton scrap, hydraulically compressed or hand bundled to charging box size and weighing not less than 75 pounds per cubic foot. (Hand bundles must also be tightly secured and stand handling with a magnet.) Must be free of paint or protective coating of any kind. May include Stanley balls, or mandrel wound bundles or skeleton reels, tightly secured. May not include detinned scrap, electrical sheets, or any material over 0.5 percent of silicon.

(5) *No. 2 bundles.* Body and fender scrap, or similar black sheet scrap, hydraulically compressed to charging box size and weighing not less than 75

pounds per cubic foot. May include chemically detinned material. No tin can will be deemed to be detinned unless it has undergone the chemical process for the removal and recovery of tin. May not include galvanized, vitreous enameled stock tin plate, terne plate, or other metal coated material. Painted or lacquered material shall not be considered as coated material. May include hydraulically compressed uncoated fence wire and light coil springs.

(6) *Machine shop turnings.* Clean steel or wrought iron turnings, free of cast or malleable iron borings, nonferrous metals in a free state, scale or excessive oil. May not contain badly rusted or corroded stock.

(7) *Mixed borings and turnings.* Shoveling turnings mixed with cast or malleable iron borings and drillings, free of scale or excessive oil or non-ferrous metals in a free state. May not contain badly rusted or corroded stock.

(8) *Shoveling turnings.* Clean short steel or wrought iron turnings, drillings or screw cuttings. May include any such material whether resulting from crushing, raking or other processes. Must be free of springy, bushy, tangled or matted material, lumps, non-ferrous metals in a free state, scale, grindings, or excessive oil.

(9) *No. 2 busheling.* Cut hoops, netting, cut unbaled fence wire, light sheets, rusted car sides, cotton ties, and galvanized light material. No dimension over 12 inches. May be black or galvanized. May include oil field or similar cable cut to lengths of 2 feet or less and machine gun clips. No hard steel, porcelain enameled, or metal coated material may be included.

(10) *Cast iron borings.* Clean cast iron or malleable iron borings and drillings, free of steel turnings, scale, lumps and excessive oil.

(b) *Electric furnace and foundry grades*—(1) *Billet, bloom and forge crops.* Billet, bloom, axle, slab, heavy plate and heavy forge crops, not over 0.05 percent phosphorus or sulphur and not over 0.5 percent silicon, free from alloys. Must not be less than 2 inches in thickness, not over 18 inches in width and not over 36 inches in length. Must be new material delivered to the consumer directly from the industrial producer.

(2) *Bar crops and plate scrap.* Bar crops, plate scrap, forgings, bits, jars and tool joints, containing not over 0.05 percent phosphorous or sulphur, not over 0.5 percent silicon, free from alloys. Must not be less than 2 inches in thickness, not over 18 inches in width and not over 36 inches in length, except that plate scrap may not be less than ½ inch thick.

(3) *Cast steel.* Steel castings not over 48 inches long, 18 inches wide and ¼ inch in thickness, containing not over 0.05 percent phosphorus or sulphur, free from alloys and attachments. May include heads, gates and risers.

(4) *Punchings and plate scrap.* Punchings or stampings, plate scrap and bar crops containing not over 0.05 percent phosphorus or sulphur and not over 0.5 percent silicon, free from alloys. All material must be cut 12 inches and under and with the exception of punchings or stampings must be at least ⅛ inch in thickness. Punchings or stampings may not be less than ¼ inch or more than 6 inches in diameter.

(5) *Electric furnace bundles.* New black steel sheet scrap hydraulically compressed into bundles 14 x 14 x 20 inches or smaller.

(6) *Cut structural and plate scrap, 3 feet and under.* Clean open hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch in thickness, nor over 3 feet in length and 18 inches in width. Must not contain over 0.05 percent phosphorus or sulphur.

(7) *Cut structural and plate scrap, 2 feet and under.* Clean open hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch in thickness, not over 2 feet in length and 18 inches in width. Must not contain over 0.05 percent phosphorus or sulphur.

(8) *Cut structural and plate scrap, 1 foot and under.* Clean open hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch in thickness or over 1 foot in length or width. Must not contain over 0.05 percent of phosphorus or sulphur.

(9) *Briquetted cast iron borings.* Cast iron borings, Grade 12, compressed into a cohesive solid, reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60 percent.

(10) *Foundry steel, 2 feet and under.* Steel scrap ⅛ inch and over in thickness, not over 2 feet in length or 18 inches in width. Individual pieces must be free from attachments. May not include nonferrous metals, metal coated material, cast or malleable iron, wrought iron, pipe, body and fender stock, cable, enameled or galvanized material.

(11) *Foundry steel, 1 foot and under.* Steel scrap ⅛ inch and over in thickness, not over 1 foot in length or width. Individual pieces must be free from attachments. May not include nonferrous metals, metal coated material, cast or malleable iron, wrought iron, pipe, body and fender stock, cable, enameled or galvanized material.

(12) *Springs and crank shafts.* Clean automotive springs and crankshafts, either new or used.

(13) *Alloy free turnings.* New, short, clean steel turnings free from lumps, tangled or matted material, cast iron borings, or excessive oil, containing not more than 0.05 percent phosphorus or sulphur and free of alloys. Must be delivered to the consumer directly from the industrial producer.

(14) *Heavy turnings.* Short, heavy steel turnings, containing not over 0.05 percent phosphorus or sulphur and free of alloys. May include rail chips. May not include machine shop or other light turnings and must weigh not less than 75 pounds per cubic foot in the original state of production. Must be delivered to the consumer directly from the industrial producer.

(c) *Special grades*—(1) *Briquetted turnings.* Steel turnings compressed into a cohesive solid, reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60 percent.

(2) *No. 1 chemical borings.* New clean cast or malleable iron borings and drillings containing not more than 1 percent oil, free from steel turnings, or chips, lumps, scale, corroded or rusty material.

(3) *No. 2 chemical borings.* New clean cast or malleable iron borings and drillings, containing not more than 1.50 percent oil, free from steel turnings, or chips, lumps, scale, corroded or rusty material.

(4) *Wrought iron.* Clean wrought iron scrap, free of steel and with rivets and attachments removed. May include structural shapes, plates, bars, pipes, staybolts, or any other material known to have been manufactured from wrought iron.

(5) *Shafting.* Random length shafting suitable without further preparation for rerolling, or forging. Must be reasonably straight and free of attachments.

SEC. 24. *Steel grades of railroad origin*—(a) (1) *No. 1 railroad heavy melting steel.* (A. A. R. No. 24.) Clean wrought iron or steel scrap ¼ inch and over in thickness, not over 18 inches in width, and not over 5 feet in length. Individual pieces must be free from attachments and cut so as to lie reasonably flat in charging box. May include new mashed pipe ends, original diameter four inches and over. No needle or skeleton plate, agricultural shapes, annealing pots, boiler tubes, grate bars, cast iron, malleable iron, or curly or unwieldy pieces will be accepted.

(2) *No. 2 railroad heavy melting steel.* (A. A. R. No. 25.) Plate scrap, such as car sides ⅛ inch and over in thickness, punchings ¼ inch and over in thickness, heavy clippings, unmashed pipe ends under four inches in diameter and/or similar material. Car sides and all light plates to be sheared 15 inches by 15 inches or under and all light rods to be 12 inches and under in length. Any curved or twisted pieces must be sheared in such shape that they will lie reasonably flat in a charging box and not tangle in handling with a magnet; all to be free from cast iron, malleable iron, burnt scrap, dirt or foreign material of any kind. Maximum size 15 inches wide by 3 feet long.

(3) *No. 2 steel wheels.* (A. A. R. No. 41.) Includes all kinds of built up or steel tired wheels 36 inches and under.

(4) *Hollow bored axles.* (A. A. R. No. 4.) Hollow bored steel axles. No axles to be included of shorter lengths than distances between wheel seats.

(5) *No. 1 busheling.* (A. A. R. No. 10.) Clean wrought iron and/or steel 1/16 inch and over in thickness and/or pipe and/or flues not exceeding 12 inches in any dimension. May not contain burnt material. Must be free from metal coated, lined or porcelain enameled stock.

(6) *No. 1 turnings.* (A. A. R. No. 38.) Heavy turnings from wrought iron and/or steel railroad axles or heavy forgings and/or rail chips, to weigh not less than 75 pounds per cubic foot. Free from dirt or other foreign material of any kind.

(7) *No. 2 turnings, drillings and borings.* (A. A. R. No. 39.) Cast wrought steel and/or malleable iron borings, turnings and/or drillings, mixed with other metals.

(8) *No. 2 cast steel.* (A. A. R. No. 11.) Steel castings over 18 inches wide and over 5 feet long.

(9) *Uncut frogs and switches.* (A. A. R. No. 18.) Steel and/or iron frogs and switches that have not been cut apart. May include manganese.

(10) *Flues, tubes and/or pipes.* (A. A. R. No. 21.) Wrought iron and/or soft steel. Must be free from dirt, excessive corrosion or lime and riveted seams. Fittings attached permitted.

(11) *Structural, wrought iron and/or steel, uncut.* (A. A. R. No. 35.) All steel or steel mixed with iron from bridges, structures, and/or equipment that has not been cut apart; may include uncut bolsters, brake beams, steel trucks, underframes, channel bars, steel bridge plates, frog and/or crossing plates and/or other steel of similar character.

(12) *Destroyed steel cars.* (A. A. R. No. 45.) Bodies of steel cars cut apart sufficiently to load.

(13) *No. 1 sheet scrap.* (A. A. R. No. 30.) Under ¼ inch thick, consisting of cut stacks and/or netting, hoops, band iron and/or steel, scoops and/or shovels (free of wood), and/or wire rope, all sizes. Must be free from burnt or metal coated material, cushion or other similar springs and lime crusted pipe and flues from boilers.

(14) *Scrap rails in random lengths.* (A. A. R. No. 29). Standard section tee, girder or guard rails, to be free from frogs, and switch rails not cut apart, and contain no manganese, cast welds, or attachments of any kind except angle bars. Free from concrete, dirt and foreign material of any kind.

(15) *Rerolling rails.* (A. A. R. No. 27.) Standard section tee rails, original weight 50 pounds per yard or heavier, 5 feet long and over. Suitable for rerolling into bars and shapes. Free from bent and twisted rails, frog, switch and guard rails, or rails with split heads and broken flanges.

(16) *Cut rails, 3 feet and under.* (A. A. R. No. 28–A.) Cropped rail ends 3 feet and under in length. Free from concrete, dirt, or other foreign material.

(17) *Cut rails, 2 feet and under.* (A. A. R. No. 28–B.) Cropped rail ends 2 feet and under in length. Free from concrete, dirt, or other foreign material.

(18) *Cut rails, 18 inches and under.* (A. A. R. No. 28–C.) Cropped rail ends 18 inches and under in length. Free from concrete, dirt and other foreign material.

(19) *Cast steel No. 1.* (A. A. R. No. 11–A.) Steel castings cut to sizes 4 feet in length or 18 inches in width or smaller.

(20) *Uncut tires.* (A. A. R. No. 36.) All locomotive or car tires, uncut.

(21) *Cut tires.* (A. A. R. No. 37.) All locomotive or car tires cut 3 foot lengths and under.

(22) *Uncut bolsters and side frames.* (A. A. R. No. 9.) Cast steel bolsters and/or truck side frames, uncut.

(23) *Cut bolsters and side frames.* (A. A. R. No. 11–A.) Cast steel bolsters and/or truck side frames cut to sizes 4 feet in length by 18 inches in width or smaller.

(24) *Angle and splice bars.* (A. A. R. No. 6.) Fish plates and/or patented joints, iron or steel.

(25) *Solid steel axles.* (A. A. R. Nos. 2 and 3.) Solid car and/or locomotive steel axles. Free of axles with key-way between wheel seats; no axles or shorter lengths than distances between wheel seats to be included.

(26) *Steel wheels, No. 3, oversize.* (A. A. R. No. 42–A.) Solid cast steel, forged, pressed or rolled steel car and/or locomotive wheels over 42 inches in diameter.

(27) *Steel wheels, No. 3.* (A. A. R. No. 42.) Solid cast steel forged, pressed or rolled steel car and/or locomotive wheels, not over 42 inches in diameter. May include wheels over 42 inches in diameter, if cut to a length of not over 36 inches in the shortest dimension.

(28) *Spring steel.* (A. A. R. No. 34.) Coil and/or elliptical springs, minimum thickness ¼ inch; may be assembled or cut apart.

(29) *Couplers and knuckles.* (A. A. R. No. 17.) Railroad car and/or locomotive steel couplers, knuckles and/or locks stripped clean of all other attachments.

(30) *Wrought iron.* (A. A. R. No. 43.) Clean wrought iron scrap free of steel and with rivets and attachments removed.

SEC. 25. *All cast iron grades*—(a) (1) *Cast iron No. 1 (cupola cast).* Clean cast iron scrap such as columns, pipes, plates and castings of a miscellaneous nature, including the cast iron parts of agricultural machinery. Must be free from stove plate, burnt iron, brake shoes, or foreign material. Must be cupola size, not over 24 inches by 30 inches, and no piece to weigh over 150 pounds.

(2) *Cast iron No. 2 (charging box cast).* Clean cast iron scrap in sizes not over 5 feet in length or 18 inches in width, suitable for charging into an open-hearth furnace without further preparation. Must be free from burnt iron, brake shoes or stove plate.

(3) *Cast iron No. 3 (heavy breakable cast).* Cast iron scrap over charging box size or weighing more than 500 pounds and which can be broken by an ordinary drop into cupola size. May include cylinders, driving wheel centers, but may not include hammer blocks or bases. May include steel which is an integral part of the casting, which does not protrude more than 6 inches and which does not exceed 10 percent of the weight of the casting.

(4) *Cast iron No. 4 (burnt cast).* Burnt cast iron scrap such as stove parts, grade bars and miscellaneous burnt iron. Includes sash weights or window weights.

(5) *Cast iron brake shoes.* Driving and/or car brake shoes of all types except composition filled shoes.

(6) *Stove plate.* Clean cast iron stove plate. Must be free from malleable and steel parts, window weights, plow points or burnt cast.

(7) *Clean auto cast.* Clean auto blocks, free of all steel parts except camshafts, valves, valve springs and studs.

(8) *Unstripped motor blocks.* Automobile or truck motors from which steel and non-ferrous fittings have not been removed. Must be free from drive shafts, differentials and parts of frames.

(9) *Wheels, No. 1.* Cast iron railroad car or locomotive wheels.

(10) *Malleable.* Malleable parts of automobiles, railroad cars, locomotives or miscellaneous malleable iron castings. Must be free of cast iron and steel parts and other foreign material.

(11) *Drop broken machinery casts.* Clean heavy cast iron machinery scrap that has been broken under a drop. All pieces must be in cupola size, not over 24″ x 30″, and no piece to weigh over 150 pounds and not less than 5 pounds.

MISCELLANEOUS PROVISIONS

SEC. 26. *Imported scrap.* (a) This Ceiling Price Regulation No. 5 is not applicable to imported scrap as defined in section 28 (f) hereof.

SEC. 27. *Exported scrap.* The ceiling price for any grade of iron or steel scrap sold for export or to an exporter shall be the ceiling shipping point or on-line price as established in section 4, 8, 10 or 11 hereof, whichever is applicable, plus all transportation charges allowable under the appropriate section, to the place of export. For scrap exported by vessel, this ceiling export price shall be f. a. s. vessel at the place of export, and the actual cost incidental to shipment and export from that point may be added, if shown as separate charge on the invoice.

SEC. 28. *Definitions.* (a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Iron and steel scrap" means all ferrous materials, either alloyed or unalloyed, of which iron or steel is a principal component, which are the waste of industrial fabrication, or objects that have been discarded on account of obsolescence, failure or any other reason, when sold to a consumer as defined in paragraph (c) of this section, or his broker.

(c) "Consumer" means a purchaser of iron or steel scrap for use in the production of iron or steel products by melting or rerolling; or any person purchasing iron or steel scrap for use as a reduction agent in the production of chemicals or pigments, for use in the production of non-ferrous materials, for use as ballast or counterweights, or for annealing; and includes any governmental agency or sub-division.

(d) "Operating railroad" means a railroad, terminal association, or switching company which operates a railway line and derives at least a portion of its revenue from the carrying of freight.

(e) "Non-operating railroad" means all railroads other than operating railroads, as defined in paragraph (d) of this section, and includes suburban and interurban electric railroads, street rail-

ways, refrigerator car, stock car, sleeping car and tank car companies engaged primarily in the transportation business, but does not include mine or logging roads.

(f) "Imported scrap" means all iron and steel scrap having a point of origin outside the 48 States of the United States and the District of Columbia.

(g) "Free of alloys" means that any alloys contained in the steel are residual and have not been added for the purpose of making an alloy steel. Steel scrap will be considered free of alloys where the residual alloying elements do not exceed the following amounts:

	Percent
Nickel	0.45
Chromium	.20
Molybdenum	.10
Manganese	1.65

and where the combined residuals other than the manganese do not exceed a total of 0.60 percent.

(h) "Lowest established charge:" The term shall mean the rail or vessel freight rate for transporting material generally classified as iron or steel scrap and shall not refer to freight charges for transporting any special grade thereof even though the latter grade is actually being shipped.

(i) "Shipping point:" Scrap is at its shipping point in the case of all rail, rail-vessel, rail-truck or truck-rail movement when it has been placed f. o. b. railroad cars for shipment to the consumer; in the case of all-vessel, vessel-rail or vessel-truck movement, when it has been placed f. a. s. vessel for shipment to the consumer; and, in the case of all-truck movement, when it has been placed f. o. b. truck for shipment to the consumer.

(j) "Point of delivery" shall mean that point at which scrap has arrived for unloading at the plant of the consumer.

(k) "Dealer and industrial origin" shall mean all sources of scrap other than railroads as defined in this regulation.

(l) "Scrap accumulation point" shall be that point from which the greatest tonnage of scrap was shipped in the calendar year 1950.

SEC. 29. *Records and reports.* (a) Every person making a sale of iron or steel scrap to a consumer or a broker and every consumer or broker purchasing iron or steel scrap shall keep for inspection by the Office of Price Stabilization for as long as the Defense Production Act of 1950 remains in effect, complete and accurate records of each such sale or purchase: the date thereof, the name and address of the buyer or seller, the shipping point price (or in the case of railroad sellers, the on-line price), the quantity in pounds, the quality in grades as defined in the applicable section, the method of transportation used from shipping point to point of delivery, the delivered price and the commission, if any, involved in the sale.

(b) Buyers and sellers of iron or steel scrap affected by this regulation shall submit such further reports to the Office of Price Stabilization as may from time to time be required, subject to the approval of the Bureau of the Budget under the Federal Reports Act.

(c) Where shipment of scrap to the consumer or his broker involves rail or water movement, the shipper must execute and mail to the consumer or his broker a shipping notice simultaneously with the shipment of the scrap. Such shipping notice must contain the date of shipment, number and initial of the car or name of vessel, the consumer's and/or broker's purchase order number, the specific grade or grades of scrap as they are designated in the applicable section of this regulation and the signature of the shipper or his duly authorized representative.

SEC. 30. *Less than ceiling prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 31. *Evasion.* The provisions of this regulation shall not be evaded by direct or indirect means.

SEC. 32. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

SEC. 33. *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Price Regulation No. 1, issued by the Economic Stabilization Agency.

This regulation shall become effective the 7th day of February 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

APPENDIX A—STATEMENT OF CONSIDERATIONS

1. *Introduction.* Technological advances in the manufacture of steel late in the nineteenth century, particularly in the perfection of the open hearth process, made possible the use of ferrous materials, which were otherwise discarded and lost, and created the distributive mechanism by which this material is transmitted from its source to the consuming steel mills and foundries. No one deliberately sets out to make scrap but it is produced whenever iron or steel in one form or another is melted, tooled, machined, stamped, rolled or cut. It is also created when finished products reach the end of their usefulness and are discarded.

Together, scrap and pig iron make up approximately 98 percent of the total weight of raw materials used by steel mills, with the balance being accounted for by fuels and miscellaneous alloying metals. Of this 98 percent, approximately 50 percent is scrap and the balance pig iron.

2. *The need for price controls.* From June 24, 1950, to the end of the calendar year 1950, the general level of prices of iron and steel scrap increased approximately twenty percent. The pressures exerted by the growing disparity between demand and supply during this period caused the upward price movement.

From the period of June 24, 1950, to the end of the calendar year 1950, the rated capacity of the steel industry increased by approximately four million ingot tons to an estimated total of 104,500,000 ingot tons. During this period these facilities were operated at or above rated capacity. There are further indications that the rated capacity of the steel industry will continue to increase and these facilities will probably be fully utilized so as to further accentuate the deficit between demand and supply which will exert still further pressures on the pricing levels.

In fact, these pressures were reflected during the first half of January 1951, when, for example, the price of No. 1 heavy melting steel, the base grade, which had heretofore been relatively stable during December 1950 at about $44.00 per gross ton delivered Pittsburgh suddenly rose to approximately $52.00 per gross ton delivered Pittsburgh. This increase occurred despite the fact that numerous discussions had already been held by representatives of the Economic Stabilization Agency with consumers and producers of iron and steel scrap for the express purpose of stabilizing prices in this area.

Upon the basis of these facts and circumstances and other economic data, the Director of Price Stabilization finds that: (1) the prices for iron and steel scrap have risen unreasonably above the level of prices prevailing during the period from May 24 to June 24, 1950 and the ceiling prices established in the General Ceiling Price Regulation embody these inflationary price increases; (2) such price increases will materially affect the cost of living or the national defense; (3) the reduction of ceiling prices from the ceiling prices established in the General Ceiling Price Regulation is necessary to effectuate the purposes of the Defense Production Act of 1950; (4) it is practicable and feasible to impose such ceilings; and (5) such ceilings will be generally fair and equitable to sellers and buyers of such material or service subject to this regulation and to sellers and buyers of related or competitive materials and services.

This regulation, to the extent of its applicability, supersedes the General Ceiling Price Regulation issued by this Office. It applies generally only to sales and deliveries to the ultimate consumer. All sales not specifically covered by this Regulation remain subject to the General Ceiling Price Regulation.

In making these findings and issuing the regulation the Director has, so far as was practicable under the circumstances, advised and consulted with representative persons of the iron and steel scrap producing and consuming industries who would be substantially affected by this regulation. Due consideration has been given to their recommendations.

The provisions of this regulation and their effect upon business practices, cost practices, or methods, or means or aids

to distribution in the industry have been carefully considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

3. *Method of pricing.* In establishing ceiling prices for iron and steel scrap, two methods of pricing are used. The first is for steel making scrap and the second is for cast iron scrap.

The method of pricing for steel making scrap follows that utilized by the Office of Price Administration during World War II in its regulation of this scrap and has been designated by such agency as a basing point method. As such, it is designed to conform as nearly as possible to trade practices existing under free market conditions, and the Director has been urged by both buyers and sellers in this industry to perpetuate the use of this system. The promulgated regulation adopts this pricing method.

The basing point prices set out in this regulation represent the usual market relationships and thereby preserve the fluidity of scrap.

While the shipping point price for the seller is maintained, the consumer wherever located has an equal opportunity to obtain the scrap providing the consumer is willing to absorb the transportation costs.

The f. o. b. shipping point method of pricing has been adopted for cast iron scrap. In the distribution of cast iron scrap, the situation is not comparable to that existing in steel making scrap. Gray iron foundries, the major users of cast iron scrap, are widely scattered throughout the United States. They do not have the same geographical centralization as is the case in the producers of steel ingots. Experience has shown that attempts made by the Office of Price Administration to establish prices for cast iron scrap on a delivered basis were failures, because of the multiplicity of consumers and their wide geographical dispersal. After considering this experience, it has been determined that the disruptive effects of attempting to impose a delivered price formula upon cast iron scrap would result in a dangerous disruption of the free flow of material. The representatives of the scrap-producing and consuming industries consulting with this Agency recommended that the f. o. b. shipping point method be used for cast iron scrap.

These representatives further recommended that the f. o. b. shipping point price for cast iron scrap be the same regardless of the geographic location. Examination of this recommendation, in the light of the experience of the Office of Price Administration in which three broad zones of pricing were used, indicates that the uniform shipping point price is simpler to administer, will be more clearly understood throughout the industry and will conform to the pattern of demand which has been established in the post-World War II period.

4. *The general level of prices.* Iron and steel scrap is essentially a by-product of our industrial economy. It is generated from three major sources; namely, industrial scrap, railroad scrap, and dealer's scrap, that is, scrap from miscellaneous sources. Of these, the flow of dealer's scrap which represents less than a majority of the total scrap is more susceptible to price influences. Industrial scrap will be produced and will normally flow. Railroad scrap will likewise be produced and normally flow. Experience has demonstrated that when a reasonable and stable level of prices has been established, such stability will encourage the flow of scrap, as for example during World War II, when price controls were in effect, record-high production of scrap was maintained for a four and one half year period. While there were other factors, such as the stimulii of patriotism and Government salvage drives at work during that period, the fact that prices remained stable was of great importance in supporting the then record production. This stability permitted the adjustment of operations on a long-term basis by eliminating the possibilities of speculation on price fluctuations.

The price level established in this regulation takes cognizance of the present labor costs, present costs of processing materials, equipment costs, and transportation charges. The price level established in this regulation should at this time, make available all of the material which will move by ordinary pricing methods.

Despite the rollback occasioned by this regulation in certain grades of iron and steel scrap, the prices established for these grades are at levels which representative, well informed members of the scrap-producing and consuming industries believe are adequate to encourage the collection, preparation, and to maintain the flow of this scrap. In order to encourage the further flow of this scrap from remote areas, minimum ceiling prices have been established in this regulation.

5. *Establishment of new basing points.* Houston, Texas, Kansas City, Missouri, and Portland, Oreg., have been added to the basing points established in the former Office of Price Administration regulation, because it has been determined that substantial increases in steel-making capacities have developed in these areas since World War II, plus the fact that important scrap collection and processing facilities have been established in these areas.

Consideration was given to the suggested inclusion of Fontana, California and Provo, Utah as basing points, but these two locations were not so included because, while they represent important scrap producing and consuming centers, they are nevertheless located in areas which are generally isolated from the metropolitan areas in which scrap collecting and processing facilities are customarily located, and the establishment of these locations as basing points would only tend to raise the general level of prices in the vicinity above the level which is necessary to encourage a flow of scrap.

6. *West Coast prices.* After specific consultation with representative producers and consumers of iron and steel scrap from the West Coast and producers and consumers from all other areas affected by this regulation, it was generally acknowledged that entirely different marketing conditions exist on the West Coast as distinguished from other geographical areas covered by this regulation. A generally lower level of basing point prices for scrap has historically prevailed on the West Coast.

The recommendations of the West Coast representatives, together with those of the rest of the industry, have been duly weighed and consideration has been given to other available data. The level of the prices established in this regulation for the West Coast area is necessary in order to maintain the flow of this material and to prevent the diversion of this material to other areas. Furthermore this level of prices is consistent with the general level of the prices established by this regulation.

7. *Basing point price differentials.* The differentials in basing point prices established in this regulation has been made after due consideration of the relevant factors which include the supply and demand situation at the particular location, the transportation charges from the point of origin to the consuming areas, as well as the relationship of competing consumer areas for the available scrap. Representative suppliers and consumers have generally agreed to the soundness and adequacy of the differentials.

8. *Grade differentials.* It has been customary in the scrap industry for consumers to pay different prices for different grades of scrap. Under free market conditions, the most important factors in determining the differentials in price which a consumer would pay are quality and size. This is particularly true for those consumers whose facilities, such as electric furnaces or cupolas, require a very heavy proportion of purchased scrap. While the major factors of quality and size are of importance in determining the differentials for the various grades of scrap, the factor of cost of preparation also is normally considered.

In addition to the aforegoing factors which are normally taken into consideration in determining differentials, consideration was also given to the historical price relationship amongst the grades. Representative sellers and consumers approve the fairness and reasonableness of the differentials adopted.

9. *Railroad prices.* The regulation adopts a differential in price between #1 heavy melting steel scrap of railroad origin and #1 heavy melting steel scrap of dealer or industrial origin. Historically, scrap of railroad origin has usually commanded a differential over scrap of dealer and industrial origin because it is generally of better quality, heavier, and of more uniform size than scrap of non-railroad origin. In addition, it is ordinarily offered in larger quantities and flows to the consumer at more regular intervals. Furthermore, railroads absorb the cost of delivery to the consumer

of that portion of the haul which is on the line of the selling railroad.

10. *Trucking charges.* Minimum and maximum charges for the transporting of iron or steel scrap in a truck owned or controlled by the shipper has been established in the regulation. After consultations with representative members of the industry, the Director of Price Stabilization found it to be the general opinion of those consulted that a trucker could not afford to ship and handle scrap for a fee below that established as the minimum and that any schedule which resulted in a lower return on these short hauls would discourage this essential segment of scrap collection and distribution.

The ceiling represents the maximum haul which the Director finds to be consistent with normal economical distribution and which will discourage long hauls, cross hauls and resulting dislocation of scrap. In addition it has been found that such a ceiling is necessary in order to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

11. *Restrictions on use.* Provisions prohibiting certain consumers from buying certain grades of iron and steel scrap at the premium prices provided in this regulation have been incorporated upon the express recommendation of the National Production Authority in order to assist it in allocating such scrap to those consumers whose melting facilities require these grades.

12. *Grade specifications.* The grade specifications as defined and limited in this Regulation represent general trade practice over the past several years and the recommendations of the industry. Insofar as this grading represents a departure in any respect from current business practice, it has been found by the Director to be necessary to prevent circumvention or evasion of this regulation.

[F. R. Doc. 51-1937; Filed, Feb. 5, 1951; 10:18 a. m.]

[Administrative Order 4]

DELEGATION OF AUTHORITY TO ASSISTANT DIRECTOR, COMMODITY DIVISIONS

By virtue of the authority vested in me as the Director of Price Stabilization pursuant to Executive Order No. 10161 of September 9, 1950 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Administrative Order No. 4 is hereby issued.

Whenever the Director of Price Stabilization is absent from the city of Washington, D. C., the functions delegated to him by General Order No. 2 of the Economic Stabilization Agency are hereby further delegated to the Assistant Director in charge of Commodity Divisions, Office of Price Stabilization, and shall be exercised by him as Acting Director of Price Stabilization.

MICHAEL V. DISALLE,
Director,
Price Stabilization.

FEBRUARY 4, 1951.

[F. R. Doc. 51-1967; Filed, Feb. 5, 1951; 12:07 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[Delegation 7]

DELEGATION OF AUTHORITY TO ADMINISTER NPA ORDER M-4

Pursuant to the authority of section 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Delegation 1, January 24, 1951; and U. S. Department of Commerce Order 123 as amended, the following administrative functions to be performed pursuant to NPA Order M-4 are delegated to the Directors of the Regional Offices of the U. S. Department of Commerce, and the Managers of the District Offices of the U. S. Department of Commerce, specified in List A:

1. To receive, consider, pass upon and take action for and in the name of the National Production Authority upon, applications for an authorization to commence construction pursuant to § 71.6 of NPA Order M-4.

2. To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for adjustment and exception based upon unreasonable hardship pursuant to § 71.11 of NPA Order M-4.

3. To receive, consider, pass upon and take action for and in the name of the National Production Authority upon, applications for exemption where the prohibition of such construction would not be in the interest of the national defense pursuant to § 71.11 of NPA Order M-4.

Actions taken by a Regional Director or District Manager pursuant to this delegation shall be signed as follows:

National Production Authority
By ---------------------------
(Name and Title)

This delegation shall take effect on February 5, 1951.

NATIONAL PRODUCTION AUTHORITY,
[SEAL] MANLY FLEISCHMANN,
Acting Administrator.

	Regional offices to whose directors this delegation extends	Area for which such director may act
Region I	1800 Customhouse, Boston 9, Mass	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
Region II	42 Broadway, New York 4, N. Y	New York and New Jersey.
Region III	Jefferson Bldg., 1015 Chestnut St., Philadelphia 6, Pa	Delaware and Pennsylvania.
Region IV	Room 2, Mezzanine, 801 East Broad St., Richmond 19, Va	Maryland, North Carolina, West Virginia, and Virginia.
Region V	418 Atlanta National Bldg., 50 Whitehall St. SW., Atlanta 3, Ga	Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.
Region VI	410 Union Commerce Bldg., 925 Euclid Ave., Cleveland 14, Ohio	Kentucky, Ohio, and Michigan.
Region VII	1150 McCormick Bldg., 332 South Michigan Ave., Chicago 4, Ill	Illinois, Indiana, and Wisconsin.
Region VIII	338 Midland Bank Bldg., 401 2d Ave. South, Minneapolis 1, Minn	Minnesota, Montana, North Dakota, and South Dakota.
Region IX	2400 Fidelity Bldg., 911 Walnut St., Kansas City 6, Mo	Iowa, Kansas, Missouri, and Nebraska.
Region X	Room 1114, 1114 Commerce St., Dallas 2, Tex	Arkansas, Louisiana, Oklahoma, and Texas.
Region XI	142 New Customhouse, 19th and Stout Sts., Denver 2, Colo	Colorado, New Mexico, Utah, and Wyoming.
Region XII	306 Customhouse, 555 Battery St., San Francisco 11, Calif	Arizona, California, Hawaii, and Nevada.
Region XIII	809 Federal Office Bldg., 909 1st Ave., Seattle 4, Wash	Alaska, Idaho, Oregon, and Washington.

District offices to whose managers this delegation extends	Area for which such managers may act
314 United States Appraisers' Stores Bldg., 103 S. Gay St., Baltimore 2, Md	Maryland.
1038 Federal Bldg., 230 West Fort St., Detroit 26, Mich	Michigan.
1546 United States Post Office and Court House, 312 North Spring St., Los Angeles 12, Calif.	The following counties in California: San Luis Obispo, Santa Barbara, Ventura, Kern, Los Angeles, Orange, San Bernardino, Riverside, Imperial, and San Diego.
217 Old United States Court House, 520 S. W. Morrison St., Portland 4, Oreg	Oregon.
910 New Federal Bldg., 1114 Market St., St. Louis 1, Mo	The area in Missouri east of the western boundaries of the following counties, up to the Mississippi River: Schuyler, Adair, Macon, Randolph, Howard, Cooper, Morgan, Camden, Dallas, Webster, Douglas, and Ozark.

[F. R. Doc. 51-1930; Filed, Feb. 2, 1951; 4:56 p. m.]

[NPA Order M-35]

CATTLEHIDES, CALFSKINS AND KIPS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by Section 101 of the Defense Production Act of 1950. In the formulation of this order there has been consultation with industry representatives, including trade association representatives and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the necessity for immediate action.

AUTHORITY: §§ 1 to 9 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order prohibits the sale or delivery prior to March 15, 1951, of cattlehides, calfskins or kips to a tanner or converter by a producer or collector who acquires ownership or possession of such hides or skins on or subsequent to the effective date of this order. It also calls for reports on the number of such hides or skins put into the tanning process during the calendar year 1950. This order supplements NPA Regulation 2 but only those provisions of Regulation 2 which are inconsistent with this order are superseded and all other provisions of Regulation 2 continue to apply to the cattlehide, calfskin and kip industry.

SEC. 2. *Definitions.* As used in this part:

(a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Cattlehide", "calfskin", and "kip" mean the raw hide or skin of any bull, stag, steer, ox, cow, heifer, calf, or buffalo, but do not include slunks.

(c) "Producer" means a person engaged in the business of slaughtering cattle or calves.

(d) "Collector" means a person, including a dealer, engaged in the business of acquiring from others untanned cattlehides, calfskins or kips for resale, or of removing cattlehides, calfskins or kips from cattle or calves not slaughtered by him.

(e) "Tanner" means a person engaged in the business of converting raw cattlehides, calfskins or kips into leather or "raw hide."

(f) "Converter" means a person engaged in the business of causing cattlehides, calfskins or kips to be tanned or similarly processed for his account in any tannery not owned or controlled by him.

(g) "Put into process" means the first step in the conversion of raw cattlehides, calfskins or kips into leather or "raw hide".

(h) "NPA" means the National Production Authority.

SEC. 3. *Prohibited sales or deliveries of cattlehides, calfskins, or kips.* Unless specifically directed by NPA, and notwithstanding the provisions of NPA Regulation 2 concerning DO rated orders, no producer or collector who acquires ownership or possession of cattlehides, calfskins, or kips on or subsequent to the effective date of this order and prior to March 15, 1951, may sell or deliver such hides or skins to any tanner or converter prior to March 15, 1951.

SEC. 4. *Reports.* (a) Every tanner and converter must report the number of cattlehides, calfskins and kips put into process by him or for his account, as the case may be, during the calendar year 1950, by completing and filing with NPA report form NPAF-29 on or before the 20th day of February 1951.

(b) Persons subject to this order shall make such records and submit such other reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942. (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

SEC. 5. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least two years records of receipts, deliveries, inventories and use, in sufficient detail to permit an audit that determines for each transaction whether the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be maintained in the form of microfilm or other photographic copies instead of the originals.

SEC. 6. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 7. *Adjustments and exceptions.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or its enforcement against him would not be in the interest of national defense or in the public interest. In considering requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing, shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 8. *Communications.* All communications or reports concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref.: Order M-35.

SEC. 9. *Violations.* Any person who willfully violates any provision of this order or any other order or regulation of the NPA or willfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on February 5, 1951.

NATIONAL PRODUCTION AUTHORITY,
[SEAL] MANLY FLEISCHMANN,
Acting Administrator.

[F. R. Doc. 51-1934; Filed, Feb. 5, 1951; 10:11 a. m.]

Chapter XIV—General Services Administration

EDITORIAL NOTE: The General Services Administration formerly appearing as Chapter X (16 F. R. 13) has been assigned Chapter XIV in Title 32A as reorganized (16 F. R. 808).

DELEGATION OF AUTHORITY WITH RESPECT TO RUBBER PROCUREMENT

1. Pursuant to authority vested in the President by the Defense Production Act of 1950, Public Law 774, 81st Congress, which authority has been delegated to the Administrator of General Services by Executive Order 10161 of September 9, 1950, there are hereby delegated to the Commissioner, Emergency Procurement Service and the Director and Deputy Director, Rubber Division of the aforesaid Service, and to any official occupying any of such positions in an acting capacity, the following authorities, to be exercised, pursuant to certificate as to necessity duly issued pursuant to section 303 of the aforesaid Executive Order, in connection with crude natural rubber and natural rubber latex:

(a) The authority to make provision for purchases or commitments to purchase pursuant to section 303 (a) of the aforesaid act.

(b) The authority to determine the quantities, terms and conditions, including advance payments, and periods of such purchases and commitments pursuant to section 303 (b) of the aforesaid act: *Provided, however,* That such authority shall not include the authority to make the determinations required for purchases or commitments involving higher than currently prevailing market prices or anticipated loss on resale.

(c) The authority contained in section 303 (c) of the aforesaid act.

2. The authority delegated herein shall be exercised in accordance with such administrative procedures and controls as are in force as of the date of such exercise of authority.

3. This delegation of authority shall be effective as of the date hereof.

Dated: January 29, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-1811; Filed, Feb. 5, 1951; 8:49 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 50-30]

MISCELLANEOUS AMENDMENTS TO CHAPTER

A notice regarding proposed changes in the regulations for use in transportation of solidified carbon dioxide (dry ice); marine engineering regulations and material specifications; bulkheads, subdivision, and watertight integrity of passenger vessels; and specifications for lifeboat bilge pumps and watertight sliding doors, was published in the FEDERAL REGISTER, dated August 25, 1950, 15 F. R. 5706 et seq., as Items VIII, XVI, XVII, and XXIV on the agenda to be considered by the Merchant Marine Council, and a public hearing was held by the Merchant Marine Council on September 20, 1950, at Washington, D. C. All the comments submitted were considered and where possible were incorporated into the regulations as revised.

The purpose of the amendments to 46 CFR 46.30, 46.32, 46.38, 46.42, 59.64, 60.57, 76.57, 80.2, 94.56, 98.2, 113.50, and 117.2, regarding bulkheads, subdivision and watertight integrity of passenger vessels or ferry vessels, is to improve the standard of safety and to eliminate inconsistencies between the various regulations and to adequately describe the requirements concerning bulkheads, subdivision, permeability, margin lines, damaged stability, port lights, and openings in watertight bulkheads. In connection with vessels engaged in foreign trade the revised regulations are consistent with the requirements contained in the Safety of Life at Sea Convention of 1948. The purpose of the miscellaneous amendments to 46 CFR Parts 51 to 57, inclusive, is to bring the marine engineering regulations and material specifications up to date with current practices followed by industry and to have the regulations in agreement with the latest revisions of the codes or rules of the American Society of Mechanical Engineers, American Standards Association, and the American Bureau of Shipping. Due to the occurrence of several accidents resulting in loss of life from the use of solidified carbon dioxide on board vessels, the purpose of the new requirements regarding the use and transportation of solidified carbon dioxide (dry ice) in 46 CFR 146.04-5, 146.07-7, 146.08-6, 146.27-100, and 147.05-100 is to promote safety of life at sea. The purpose of the new specification in 46 CFR 160.044, regarding lifeboat bilge pumps, is to provide for a uniform standard and to describe the procedures for obtaining approval. The purpose of the new specification covering the construction of watertight sliding doors in 46 CFR 163.001 is to establish standards of construction and design found to be necessary in the manufacture of such equipment and to describe the procedures for obtaining approval.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments to the regulations are prescribed, which shall become effective ninety (90) days after date of publication of this document in the FEDERAL REGISTER, except the amendments to 46 CFR 46.30, 46.32, 46.38, 46.42, 59.64, 60.57, 76.57, 80.2, 94.56, 98.2, 113.50 and 117.2, which shall become effective on and after April 15, 1951.

Subchapter E—Load Lines

PART 46—SUBDIVISION LOAD LINES FOR PASSENGER VESSELS

RULES FOR DETERMINING SUBDIVISION LOAD LINES FOR PASSENGER VESSELS ENGAGED ON FOREIGN AND COASTWISE VOYAGES

1. Section 46.30 is amended to read as follows:

§ 46.30 *Inlets and discharges.* All main and auxiliary inlets and discharges shall be so arranged as to prevent accidental admission of water into the vessel. Valves fitted on the vessel's sides are to be of substantial construction and are to be effectively protected against damage. Where operating gear is provided the lead thereof should be as direct as possible and all parts of the gear are to be protected against damage. The required valves, operating gear, and arrangement shall be in accordance with § 55.10-70 of Subchapter F of this chapter.

(Sec. 2, 49 Stat. 888, as amended; 46 U. S. C. 88a)

2. Section 46.32 is amended to read as follows:

§ 46.32 *Ash chutes.* Ash chutes shall be in accordance with § 55.10-70 of Subchapter F of this chapter.

(Sec. 2, 49 Stat. 888, as amended; 46 U. S. C. 88a)

3. Section 46.38 is amended to read as follows:

§ 46.38 *Pumping arrangements.* Pumping arrangements shall be in accordance with §§ 55.10-25 and 55.10-30 of Subchapter F of this chapter. Where practicable, power bilge pumps shall be placed in separate watertight compartments situated so that both compartments will not be expected to be flooded by the same damage. Lead pipes shall not be used under coal bunkers or fuel oil storage tanks, nor in boiler or machinery spaces, including motor rooms in which oil settling tanks or oil fuel pump units are situated.

(Sec. 2, 49 Stat. 888, as amended; 46 U. S. C. 88a)

RULES FOR DETERMINING SUBDIVISION LOAD LINE FOR PASSENGER VESSELS ENGAGED ON FOREIGN AND COASTWISE VOYAGES ON THE GREAT LAKES

4. Section 46.42 is amended to read as follows:

§ 46.42 *Exceptions applicable to subdivision Great Lakes vessels.* (a) Sections 46.1 to 46.6, 46.21, 46.22 and 46.28 are not applicable to Great Lakes vessels.

(b) The subdivision, damaged stability, permissible types of watertight doors, and port lights below the bulkhead deck for Great Lakes vessels shall be in accordance with §§ 76.57 and 80.2 of Subchapter H of this chapter.

(c) Sections 46.7 to 46.20, 46.23 to 46.27, and 46.29 to 46.41 are applicable to Great Lakes vessels except that, in § 46.41, all references to Part 43 shall read Part 45 when applied to Great Lakes vessels and a diamond will be substituted for the disk. No "fresh water" lines will be marked.

(Sec. 2, 49 Stat. 888, as amended; 46 U. S. C. 88a)

Subchapter F—Marine Engineering

PART 51—MATERIALS

SUBPART 51.52—CARBON-STEEL BOLTING MATERIAL

Section 51.52-60 is amended by changing paragraphs (b), (c), and (d) to read as follows:

§ 51.52-60 *Workmanship and finish.*

* * *

(b) Nuts shall be semifinished, hexagonal in shape, and in accordance with the dimensions for the Heavy Series of the American Standard for Wrench-Head Bolts and Nuts and Wrench Openings (ASA No.: B 18.2-1941).

(c) Bolts shall have regular unfinished square or hexagonal heads and the dimensions of the heads shall conform to the American Standard for Wrench-Head Bolts and Nuts and Wrench Openings (ASA No.: B 18.2-1941).

(d) All bolts and nuts, unless otherwise specified, shall be threaded in accordance with the American Standard Screw Threads, Coarse-Thread Series (ASA No.: B 1.1-1935).

(R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, and 50 U. S. C. 1275)

PART 52—CONSTRUCTION

SUBPART 52.45—COMBUSTION CHAMBERS AND TUBE SHEETS OF FIRE-TUBE BOILERS

1. Section 52.45-15 (c) is amended to read as follows:

§ 52.45-15 *Detail requirements.*

* * *

(c) The minimum inner radius of plates flanged to form the combustion chamber and back connections shall be not less than one and one-half times the thickness of the plate flanged.

(R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, and 50 U. S. C. 1275)

SUBPART 52.55—BOILER AND SUPERHEATER TUBES

2. Section 52.55-15 (b) is amended to read as follows:

§ 52.55-15 *Detail requirements.*

* * *

(b) Tubes may be lengthened or safe-ended by forge, electric-resistance, arc or gas butt welding methods. Arc or gas butt welded joints exceeding 2½ inches shall be nondestructively tested as required by § 56.05-5 of this sub-

chapter. Carbon steel tubing material shall be stress-relieved if arc welded, when the diameter exceeds 2½ inches. Alloy steel tubing shall be given a suitable preheat and postheat treatment to produce acceptable welds if deemed necessary by the Commandant.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

SUBPART 52.65—SAFETY VALVES

3. Section 52.65–15 (e) (1) is amended to read as follows:

§ 52.65–15 *Installation.* * * *

(e) (1) To insure safety valves being free, each safety valve shall have a substantial lifting device by which the valve disk may be positively lifted from its seat when there is at least 75 percent of the maximum allowable pressure on the boiler. Such mechanism shall be connected by suitable relieving gear so arranged that controls may be operated from the fireroom or engine-room floor.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

PART 54—UNFIRED PRESSURE VESSELS

Section 54.01–40 (a) is amended to read as follows:

§ 54.01–40 *Tests*—(a) *New pressure vessels.* Upon completion of a new pressure vessel one of the following applicable hydrostatic tests shall be made in the presence of an inspector:

(1) Riveted construction: 1½ times the maximum allowable pressure.

(2) Brazed construction: 1½ times the maximum allowable pressure. (See § 56.05–10 of this subchapter.)

(3) Welded construction: 1½ times the maximum allowable pressure. (See § 56.05–10 of this subchapter.)

(4) Cast construction: 2 times the maximum allowable pressure.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

PART 55—PIPING SYSTEMS

SUBPART 55.07—DETAILED REQUIREMENTS

1. Section 55.07–5 is amended by changing table 55.07–5 (a) to read as follows:

§ 55.07–5 *Design pressures and thickness of pipes.* (a) (1) * * *

TABLE 55.07-5 (a)—MAXIMUM FIBER STRESSES FOR PIPING

[Pounds per square inch]

FERROUS MATERIALS

Specification subpart	Grade	Minimum tensile strength p. s. i.	For temperatures not exceeding °F.[1] 650	700	750	800	850	900	950	1,000	1,050
			Multiplier "M"[1] 0.8	0.8	0.8	0.8	1.1	1.7	2.0	2.0	2.0
Seamless carbon steel:											
51.34	A	48,000	9,600	9,250	8,700	8,000					
51.34	B	60,000	12,000	11,400	10,400	9,100					
51.37	A	48,000	9,600	9,100	8,250						
51.37	B	60,000	12,000	11,400	9,950						
Seamless alloy steel:											
51.34	P1	55,000	11,000	11,000	11,000	10,750	10,500	10,000			
51.34	P280	55,000	11,000	11,000	11,000	10,750	10,500	10,000	8,000		
51.34	P3a	60,000	12,000	12,000	12,000	11,800	11,200	10,000	8,000	5,850	3,850
51.34	P3b	60,000	12,000	12,000	12,000	11,800	11,200	10,000	8,000	5,850	3,850
51.34	P5a	60,000	12,000	12,000	12,000	11,800	11,200	10,000	8,000	5,850	
51.34	P5b	60,000	12,000	12,000	12,000	11,800	11,000	8,800	6,000	4,200	
51.34	P5c	60,000	11,000	11,000	11,000	11,000	10,850	10,000	8,000	5,850	
51.34	P11	60,000	12,000	12,000	12,000	11,800	11,200	10,000	8,000	5,850	3,850
51.34	P15	60,000	12,000	12,000	12,000	11,500	11,000	10,000			
Electric-resistance-welded carbon steel:											
51.37	A	48,000	8,100								
Or											
51.40	B	60,000	10,200								
Furnace-welded:											
51.37	Steel	45,000	[2]4,800								
51.43	Wrought iron.	40,000	[2]4,400								

NONFERROUS MATERIALS

Specification subpart	Grade	Minimum tensile strength p. s. i.	For temperatures not exceeding °F.[1] 250	300	350	[3]400
			Multiplier "M"[1] 0.8	0.8	0.8	0.8
Seamless pipe:						
51.70	Red brass	40,000	8,000	7,000	6,000	3,000
51.73	Copper	30,000	5,000	4,750	4,500	3,000
Brazed pipe	Copper		3,000	[4]2,600		

[1] Intermediate values of S and M may be obtained by interpolation.
[2] Stress permitted for temperatures not to exceed 450° F.
[3] The same stress may be employed for 406° F.
[4] The same stress may be employed for 320° F.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

2. Section 55.07–5 *Design pressures and thickness of pipes* is amended by canceling paragraph (g).

3. Part 55 is amended by adding a new § 55.07–6 reading as follows:

§ 55.07–6 *Expansion and flexibility.* (a) Piping systems shall be designed to have sufficient flexibility to prevent thermal expansion or contraction from causing excessive stresses in the piping material, excessive bending moments at the joints, or excessive forces or moments at points of connection to equipment or at anchorage and guide points.

(b) Provision shall be made for expansion and contraction by changes in direction of pipe runs or by the use of expansion bends, loops, offsets, or slip joints.

(c) Piping shall be installed to avoid excessive strains and shall be adequately supported by hangers or guides, so that the weight of the piping is not transmitted to valves and fittings, and the effects of vibrations, pitching and rolling of the vessel are minimized. Pipe supports shall be designed and arranged so as not to interfere with expansion and contraction of the piping. Anchors, pivots and restraints shall be fabricated and installed to secure the desired points of piping in relatively fixed positions and freely permit expansion and contraction in opposite directions. Main junction points of piping subject to temperatures exceeding 450° F., which are not balance points shall be fitted with fixed anchors. If considered as a balance point the junction point may be free to move in all directions, or may be guided to limit the movement in one or more directions if computations indicate excessive strain may occur in any of the branch pipes.

(d) The combined stresses due to bending and pressure for the normal operating conditions shall not exceed two-thirds of the sum of the "S" value given in table 52.55–10 (a1) in Part 52 of this subchapter and table 55.07–5 (a) for the tubing and piping material at 650° F. and the "S" value at the design temperature.

(e) In order to modify the effect of expansion and contraction, runs of pipe should be cut short and sprung into place. Piping may be cold sprung any amount up to 100% of the total expansion. When it is desired to take credit for cold spring, the piping shall be cold sprung at least half of its computed expansion. In computing stress calculations for the hot condition, the total expansion movement may be reduced by one-third of the actual cold spring applied: *Provided*, That, in the opinion of the Commandant, satisfactory provision is made to obtain the design amount of cold spring. The full amount of cold spring shall be taken into account in considering the forces, moments, and stresses acting in the cold condition.

(f) A summary of the results of pipe stress calculations for the main and auxiliary steam piping where the design temperature exceeds 800° F., together with the arrangement piping drawings,

shall be submitted for approval. Calculations shall be made in accordance with one of the recognized methods of stress analysis acceptable to the Commandant. Under no conditions shall the calculated value of the combined stress be taken as less than the total longitudinal stress (the sum of the longitudinal bending stress and the longitudinal pressure stress).

(g) The stress calculations and piping arrangement plans shall indicate all piping runs, connections, materials, sizes, design pressure and temperature, anchorages, guides or junction points, total thermal expansion between anchor points, and design cold spring. The moment of inertia of the pipe shall be based upon the minimum thickness of the pipe or tubing.

(h) Stress calculations shall be made to determine the magnitude and direction of the forces (reactions) and moments at all terminal connections, anchor, guide and junction points, as well as the longitudinal bending and pressure stress, hoop stress, shear stress, and combined stress at all such points. The location of the maximum combined stress shall be indicated in each run of pipe between anchor or junction points. Where deemed necessary by the Commandant, and conditions are such as to warrant it, calculations for the cold conditions shall be made.

(i) Where it is desired to employ alloy steel pipe materials of better heat resistant properties than those specified in Part 51 of this subchapter, special consideration may be given by the Commandant for an increase in the maximum combined stress, if satisfactory evidence is furnished to establish the suitability of the material for the design temperature.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

4. Section 55.07–10 (b) is amended to read as follows:

§ 55.07–10 *Valves and fittings.* * * *

(b) Valves of class I piping having diameters exceeding 2 inches shall have bolted, pressure seal, or breech lock bonnets and flanged or welding ends, except that socket type welding ends, shall not be used where the diameter exceeds 2 inches. For diameters not exceeding 2 inches, screwed union bonnet valves or a type which will positively prevent the stem from screwing out of the body may be employed. Cast iron valves with screwed-in or screwed-over bonnets are prohibited. Union bonnet type cast iron valves shall have the bonnet ring made of steel, bronze or malleable iron.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

5. Section 55.07–15 is amended by changing tables 55.07–15 (e12) and 55.07–15 (e13) to read as follows:

§ 55.07–15 *Joints and flange connections.* * * *
(e) (1) * * *

TABLE 55.07–15 (e12)—SERVICE PRESSURE RATINGS FOR CARBON STEEL PIPE FLANGES AND FLANGED FITTINGS [1]

	Carbon steel flanges and flanged fittings at temperatures 800° F. and below with standard facings (other than ring joints)							Carbon steel flanges and flanged fittings at temperatures 800° F. and below with ring-joint facings						
Primary service pressure ratings	150	300	400	600	900	1,500	2,500	150	300	400	600	900	1,500	2,500
Maximum hydrostatic shell test pressures [2]	350	900	1,200	1,800	2,700	4,500	7,500	425	1,100	1,450	2,175	3,250	5,400	9,000
Service temperatures (°F.)	Maximum, nonshock, service pressure ratings at temperatures from 100° to 800° F.							Maximum, nonshock, service pressure ratings at temperatures from 100° to 800° F.						
100	230	600	800	1,200	1,800	3,000	5,000	275	720	960	1,440	2,160	3,600	6,000
150	220	590	785	1,180	1,770	2,950	4,915	255	710	945	1,420	2,130	3,550	5,915
200	210	580	770	1,160	1,740	2,900	4,830	240	700	930	1,400	2,100	3,500	5,830
250	200	570	760	1,140	1,710	2,850	4,750	225	690	920	1,380	2,070	3,450	5,750
300	190	560	740	1,120	1,680	2,800	4,660	210	680	910	1,365	2,050	3,415	5,690
350	180	550	725	1,095	1,645	2,740	4,565	195	675	900	1,350	2,025	3,375	5,625
400	170	540	710	1,075	1,615	2,690	4,475	180	665	890	1,330	2,000	3,330	5,550
450	160	525	700	1,050	1,580	2,630	4,380	165	660	875	1,320	1,975	3,295	5,490
500	[3] 150	500	665	1,000	1,500	2,500	4,165	[3] 150	625	835	1,250	1,875	3,125	5,210
550	140	475	630	950	1,420	2,370	3,950	140	590	790	1,180	1,775	2,955	4,925
600	130	445	590	890	1,330	2,220	3,700	130	555	740	1,110	1,660	2,770	4,620
650	120	415	550	830	1,240	2,070	3,450	120	515	690	1,030	1,550	2,580	4,300
700	110	380	500	760	1,140	1,900	3,160	110	470	635	940	1,410	2,350	3,920
750	100	340	450	680	1,020	1,700	2,830	100	425	575	850	1,275	2,125	3,550
800	92	[3] 300	[3] 400	[3] 600	[3] 900	[3] 1,500	[3] 2,500	92	365	490	730	1,100	1,830	3,050

[1] All pressures are in pounds per square inch, gauge.
[2] All tests shall be made with water at a temperature not to exceed 125° F.
[3] Primary service pressure rating.

TABLE 55.07–15 (e13)—SERVICE PRESSURE RATINGS FOR ALLOY STEEL PIPE FLANGES AND FLANGED FITTINGS [1]

	Alloy steels of suitable heat resistant properties at temperatures 1,000° F. and below with standard facings (other than ring joints) [2]						Alloy steels of suitable heat resistant properties at temperatures 1,000° F. and below with ring joint facings [2]					
Primary service pressure ratings	300	400	600	900	1,500	2,500	300	400	600	900	1,500	2,500
Maximum hydrostatic shell test pressures [3]	900	1,200	1,800	2,700	4,500	7,500	1,100	1,450	2,175	3,250	5,400	9,000
Service temperatures (° F.)	Maximum, nonshock, service pressure ratings at temperatures from 100° to 1,000° F.						Maximum, nonshock, service pressure ratings at temperatures from 100° to 1,000° F.					
100	600	800	1,200	1,800	3,000	5,000	720	960	1,440	2,160	3,600	6,000
150	590	785	1,180	1,770	2,950	4,915	710	945	1,420	2,130	3,550	5,915
200	580	770	1,160	1,740	2,900	4,830	700	930	1,400	2,100	3,500	5,830
250	570	760	1,140	1,710	2,850	4,750	690	920	1,380	2,070	3,450	5,750
300	560	740	1,120	1,680	2,800	4,660	680	910	1,365	2,050	3,415	5,690
350	550	725	1,095	1,645	2,740	4,565	675	900	1,350	2,025	3,375	5,625
400	540	710	1,075	1,615	2,690	4,475	665	890	1,330	2,000	3,330	5,550
450	525	700	1,050	1,580	2,630	4,380	660	875	1,320	1,975	3,295	5,490
500	500	665	1,000	1,500	2,500	4,165	625	835	1,250	1,875	3,125	5,210
550	475	630	950	1,420	2,370	3,950	590	790	1,180	1,775	2,955	4,925
600	445	590	890	1,330	2,220	3,700	555	740	1,110	1,660	2,770	4,620
650	415	550	830	1,240	2,070	3,450	515	690	1,030	1,550	2,580	4,300
700	380	500	760	1,140	1,900	3,160	470	635	940	1,410	2,350	3,920
750	360	475	720	1,080	1,800	2,995	425	575	850	1,275	2,125	3,550
800	340	450	680	1,020	1,700	2,830	375	500	750	1,125	1,875	3,125
850	320	425	640	960	1,600	2,665	350	475	700	1,050	1,750	2,925
900	[4] 300	[4] 400	[4] 600	[4] 900	[4] 1,500	[4] 2,500	325	425	650	975	1,625	2,700
950	265	350	530	795	1,325	2,205	[4] 300	[4] 400	[4] 600	[4] 900	[4] 1,500	[4] 2,500
1,000	190	250	380	570	950	1,580	230	310	470	700	1,170	1,950

[1] All pressures are in pounds per square inch, gauge.
[2] Carbon-molybdenum steel flanges and flanged fittings are not permitted for temperatures exceeding 900° F.
[3] All tests shall be made with water at a temperature not to exceed 125° F.
[4] Primary service pressure ratings.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

6. Section 55.07–20 is amended by canceling subparagraph (a) (3) and by changing paragraph (b) and table 55.07–20 (b) to read as follows:

§ 55.07–20 *Bolting.* * * *

(b) *Materials.* (1) For temperatures not exceeding 450° F., commercial carbon-steel bolting material may be used for attaching heads, doors, covers, or flanges. Carbon-steel bolting and nut material shall comply with Subpart 51.52 of this subchapter. Bolting and nuts shall meet the minimum requirements of American Standard Coarse-Thread Series. Nuts shall meet the requirements of American Standard Heavy Dimensions as given in table 55.07–20 (b).

(2) For temperatures exceeding 450° F., high strength or alloy steel bolting material complying with the requirements of Subpart 51.49 of this subchapter shall be employed. Nut material shall comply with Subpart 51.55 of this sub-

chapter. Bolting and nuts shall meet the minimum requirements of the American Standard Heavy Dimensions and the American Standard Threads for High Strength Bolting as given in table 55.07-20 (b). Washers are not required but when used shall be of forged rolled steel.

TABLE 55.07-20 (b)—BOLTING AND NUTS

[All dimensions given are in inches]

Diameter	Commercial steel bolts		High strength steel bolts		American Standard heavy nuts semifinished hexagonal		
	Number of threads [1]	Root area	Number of threads [1]	Root area	Width across flats (min.)	Width across corners (min.)	Nut thickness (min.)
½	13	0.126	13	0.126	0.850	0.969	0.464
9/16	12	.162	12	.162	.909	1.037	.526
⅝	11	.202	11	.202	1.031	1.175	.587
¾	10	.302	10	.302	1.212	1.382	.710
⅞	9	.419	9	.419	1.394	1.589	.833
1	8	.551	8	.551	1.575	1.796	.956
1⅛	7	.693	8	.728	1.756	2.002	1.097
1¼	7	.890	8	.929	1.938	2.209	1.187
1⅜	6	1.054	8	1.155	2.119	2.416	1.310
1½	6	1.294	8	1.405	2.300	2.622	1.433
1⅝	5½	1.515	8	1.680	2.481	2.828	1.556
1¾	5	1.744	8	1.980	2.662	3.035	1.679
1⅞	5	2.049	8	2.304	2.844	3.242	1.802
2	4½	2.300	8	2.652	3.025	3.449	1.925
2¼	4½	3.021	8	3.423	3.388	3.862	2.155
2½	4	3.716	8	4.292	3.750	4.275	2.401
2¾	4	4.619	8	5.259	4.112	4.688	2.647
3	4	5.621	8	6.324	4.475	5.102	2.893

[1] All bolting shall have threads at least as strong as American Standard screw threads.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

7. Section 55.07-25 is amended by canceling paragraph (b) and by changing paragraph (a) to read as follows:

§ 55.07-25 *Installation.* (a) Slip joints shall not be used in cargo holds, deep tanks, and in other places that are not always accessible, except that they may be used in cargo lines of tank vessels. Where used, slip joints shall be provided with positive means for preventing the end of the pipe from pulling out of the joint.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1554, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

8. Section 55.07-30 is amended to read as follows:

§ 55.07-30 *Tests*—(a) *Before installation.* (1) The manufacturer shall test all valves and fittings to a hydrostatic shell pressure as follows:

(i) For steam ratings; bronze, malleable iron, and cast iron: 2 times the primary pressure rating marked on the valve or fitting.

(ii) For steam ratings; steel: The respective test pressures as prescribed in tables 55.07-15 (e12) and 55.07-15 (e13).

(iii) For liquid or gas service not exceeding 150° F.; bronze or malleable iron: 1½ times the secondary pressure rating marked on the valve or fitting.

(2) Special valves, such as manifolds, scuppers, seacocks and appurtenances shall be tested to twice the design pressure stamped thereon.

(3) Pipe shall be subjected to the hydrostatic test pressure required by the respective specifications as prescribed in Part 51 of this subchapter.

(b) *After installation.* (1) The following piping systems shall be hydrostatically tested in the presence of an inspector at a pressure of 1½ times the maximum allowable pressure:

(i) Class I steam, feed-water, blow-off, and compressed air piping, except that where piping is attached to boilers by welding without practical means of blanking off for testing, the piping shall be subjected to the same hydrostatic pressure to which the boilers are tested.

(ii) Fuel oil discharge piping between the pumps and the burners, but not less than 500 p. s. i.

(iii) High-pressure piping for tank-cleaning operations.

(iv) Inflammable or corrosive liquids and compressed gas cargo piping, but not less than 150 p. s. i.

(v) Hydraulic oil piping.

(vi) Any class I piping not specifically listed in this paragraph.

(vii) Cargo oil piping.

(viii) Firemains, but not less than 150 p. s. i.

(ix) Fuel oil transfer and filling piping.

(2) Refrigeration piping shall be leak-tested to the design pressures as indicated in table 55.13-5.

(3) Piping systems not specifically listed in this paragraph shall be tested under working conditions.

(4) Arc or gas welded pipe joints of class I piping which are not examined by radiography shall be given a hammer test as required by § 56.05-10 of this subchapter.

(5) The required test pressures shall be maintained a sufficient length of time to permit an inspection to be made of all joints and connections.

(6) The setting of the safety or relief valve is considered as establishing the maximum allowable pressure of the system.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

SUBPART 55.10—PUMPING ARRANGEMENTS AND PIPING SYSTEMS

9. Section 55.10-55 (f) is amended to read as follows:

§ 55.10-55 *Lubricating oil system.* * * *

(f) Steam turbine driven propulsion and auxiliary generating machinery depending on forced lubrication shall be arranged to shut down automatically upon failure of the lubricating system.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

PART 56—ARC WELDING, GAS WELDING, AND BRAZING

SUBPART 56.05—TESTS AND INSPECTIONS

Section 56.05-10 is amended to read as follows:

§ 56.05-10 *Hydrostatic and hammer tests.* (a) Arc or gas welded vessels which have been both stress-relieved and radiographed need not be subjected to the hammer test but shall be hydrostatically tested to not less than 1½ times the maximum allowable pressure for a sufficient time to permit an inspection of all joints and connections. Welded pressure vessels, 12 feet or less in diameter and/or 20 feet or less in vertical height, the welded joints of which are not stress-relieved and radiographed, shall be subjected to a hydrostatic test pressure of at least 1¼ times but not more than 1½ times the maximum allowable pressure, and while subject to this pressure all welded joints shall be given a thorough hammer or impact test. This impact test shall consist of striking the plate at 6-inch intervals on both sides of the welded joint and for the full length of all welded joints. The weight of the hammer in pounds shall approximately equal the thickness of the shell in tenths of an inch, but not to exceed 10 pounds, and the plates shall be struck with a sharp swinging blow. The edges of the hammer shall be rounded so as to prevent defacing the plate. This hammer test shall be applied to vessels over 12 feet in diameter and/or 20 feet or more in vertical height while they are empty prior to the hydrostatic test.

(b) Following the hammer test, the vessels shall be hydrostatically tested to not less than 1½ times the maximum allowable pressure for a sufficient length of time to permit an inspection of all joints and connections.

(c) On all other pressure parts the hydrostatic pressure shall be maintained at not less than 1½ times the maximum allowable pressure for a sufficient length of time to permit complete inspection.

(d) The maximum allowable pressure used in determining the hydrostatic tests shall be that for which an unfired pressure vessel is suitable at normal atmospheric temperature based on the actual dimensions and material thicknesses of the vessel.

(e) Pinholes, cracks, or other defects shall be repaired only by chipping, machining, or burning out the defect and rewelding. For gas welding, the metal

around the defects shall be preheated to a dull red for a distance of at least 4 inches all around. Any preheating means may be used, such as a flange fire, gas or oil burner, or a welding torch. The preheating shall be done slowly, so the heat will soak into the plate and expand it thoroughly. After welding, the vessel shall be reheated in the vicinity of each weld until the heat has equalized in the dull-red spot, and then slowly cooled. For arc welding, preheating or reheating is not required.

(f) Vessels requiring stress relieving shall be stress-relieved after any welding repairs have been made.

(g) After repairs have been made the vessel shall again be tested in the regular way, and if it passes the test, the inspector shall accept it. If it does not pass the test, the inspector can order supplementary repairs, or, if in his judgment the vessel is not suitable for service, he may permanently reject it.

(R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, and 50 U. S. C. 1275)

PART 57—INSTALLATIONS, TESTS, INSPECTION, REPAIRS, AND MISCELLANEOUS REQUIREMENTS

SUBPART 57.10—TESTS AND INSPECTIONS

1. Section 57.10-15 is amended to read as follows:

§ 57.10-15 *Tests and inspection of boilers and main steam pipes in service.* (a) The boilers of all vessels subject to inspection, and other equipment as stipulated in this subpart, shall be subjected to periodic tests and inspections. Annually, at the inspection period, all boilers, superheaters, and economizers shall be examined internally and externally; and safety valves shall be set under steam at the maximum allowable pressure as prescribed in § 57.10-20. Hydrostatic tests shall be applied to all boilers as provided in table 57.10-15 (a) at the regular inspection period.

TABLE 57.10-15 (a)—HYDROSTATIC TESTS

Boiler (type)	Passenger vessels	Cargo, tank, and miscellaneous vessels
Fire tube	Annual	Annual.
Water tube	do	Quadrennial.

(b) Fire tube boilers which can be satisfactorily examined internally, except as indicated in paragraph (c) of this section, and all water tube boilers, shall be subjected to a hydrostatic test equal to 1¼ times the maximum allowable pressure at the regular inspection period, as provided in paragraph (a) of this section.

(c) Fire tube boilers which cannot be entered or which cannot be satisfactorily examined internally, and all boilers of lap-seam construction, shall be subjected to a hydrostatic test equal to 1½ times the maximum allowable pressure at the regular inspection period, as provided in paragraph (a) of this section.

(d) Main steam piping shall be subjected to a hydrostatic test equal to 1¼ times the maximum allowable pressure at the same periods prescribed for boilers in paragraph (a) of this section. The hydrostatic test shall be applied from the boiler drum to the throttle valve. If the covering of the piping is not removed, the test pressure shall be maintained on the piping for a period of ten minutes, and, if any evidence of moisture or leakage is detected, the covering shall be removed and the piping thoroughly examined.

(e) Boilers to which extensive repairs have been made, or the strength of which the inspector has any reason to doubt, shall be subjected to a hydrostatic test equal to 1½ times the maximum allowable pressure. The inspector, whenever he deems it necessary, or whenever evidence of moisture or leakage appears, shall have part or all of the boiler covering, refractory and internal fittings removed so that a complete internal and external examination of the boiler may be made. If the inspector has reason to believe that the boiler has deteriorated to any appreciable extent at the bottom where it rests on saddles or foundations, he shall have the boiler lifted so that it can be thoroughly examined if the examination cannot be made otherwise.

(f) At the annual inspection the inspector shall subject such parts as stays, flues, furnaces, and such other parts of the boiler as found necessary to a hammer or drill test or both.

(g) The inspector shall carefully examine the ligaments between rivets and between tube holes to ascertain if any cracks have started. The inspector shall also examine the edges of manholes or other openings and the edges of riveted joints to ascertain if cracks have started in the plate.

(h) The inspector shall examine the casing, brickwork, refractory and baffles. If any part is found in bad condition, he shall require such repairs or renewals as may be necessary.

(i) In applying hydrostatic pressure to boilers, arrangements shall be made to prevent main and auxiliary stop valves from being subjected at the same time to hydrostatic pressure on one side and steam pressure on the opposite side. Vessels laid up when undergoing annual inspection may have the hydrostatic pressure applied to boilers at any time preceding the date of the final inspection. However, in no instance will a passenger vessel be allowed to navigate for a period to exceed 12 months from the date of issue of the certificate of inspection, nor will a cargo, tank, or miscellaneous vessel be allowed to navigate for a period to exceed 1 or 4 years as provided in paragraph (a) of this section from the date of issue of the certificate of inspection, without the application of the hydrostatic pressure, except as provided in R. S. 4421, as amended (46 U. S. C. 399).

(j) The inspector may require any boiler to be drilled to determine the actual thickness at any time if doubt exists as to its safety. However, after a Scotch, western river, or other fire tube or flue boiler has been installed for 10 years, the inspector, at the first annual inspection thereafter, and at such subsequent periods as may be deemed necessary, shall cause the boiler to be drilled at or near the water line and bottom, and at such other places as he may deem necessary, for the purpose of gauging the shell to determine the extent of deterioration. If the thickness found by actual measurement is less than the original thickness, the maximum allowable pressure shall be recalculated using the thinnest portion of the shell plate as the thickness of the shell, and shall not exceed the maximum pressure permitted by the applicable boiler design formulas. For the purpose of such recalculation the formulas found in Parts 50 to 57, inclusive, of this subchapter shall be used for boilers made or contracted for on or after July 1, 1935. The design formulas specified in Part 58 of this subchapter may be used for boilers made or contracted for prior to July 1, 1935, or alternatively the design formulas set forth in Parts 50 to 57, inclusive, of this subchapter may be used for such boilers.

(R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, and 50 U. S. C. 1275)

2. Section 57.10-20 (a) is amended to read as follows:

§ 57.10-20 *Inspection of mountings and attachments*—*(a) Boiler stop valves and mountings.* The Officer in Charge, Marine Inspection, shall require all valves on boilers to be opened up every 4 years at the time of annual inspection or at the next regular overhaul period thereafter. All flanged valves shall be removed from the boiler at least once in every 8 years to determine the condition of the studs or bolts connecting the valves to the boiler and to permit examination of those parts of the valves which are not susceptible to examination by simply opening up the valves. When, as in the case of some of the older boilers, the valves are connected to nozzles or stools which are secured to the boiler by studs or bolts, the nozzle itself should also be removed from the boiler at 8-year intervals to permit examination of the studs or bolts connecting it to the boiler. When valves are bolted to nozzles or stools which are riveted or welded to the boiler, these riveted or welded joints should not be broken unless there is evidence of leakage or the Officer in Charge, Marine Inspection, is of the opinion that examination of such joints is necessary. These examinations may be made at intermediate periods if there is any evidence to indicate that defects have started or excessive corrosion exists. Where one or more flanged joints intervene between a stop valve and the boiler drum such flanged joints need not be opened up at the time the valve is removed from its flanged joint but may be opened up at any time the Officer in Charge, Marine Inspection, is of the opinion that examination of such joints is necessary. A record of the inspection of the valves will be made on Form CG 840-B and a notation made on the certificate of inspection. This notation will be carried on each certificate

until the next period of examination arrives.

(R. S. 4405, 4417a, 4418, 4426, 4429–4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407–412, 463a, 1333, and 50 U. S. C. 1275)

SUBPART 57.15—REPAIRS

3. Section 57.15–1 is amended to read as follows:

§ 57.15–1 *Welding repairs to existing boilers and unfired pressure vessels.* (a) Repairs to boilers or unfired pressure vessels fabricated of carbon steel may be performed by welding provided the welding meets the applicable requirements of Part 56 of this subchapter. No repairs by welding shall be made, except temporary emergency repairs, without the approval of the Officer in Charge, Marine Inspection. Emergency repairs shall be replaced with permanent repairs meeting the requirements of this subchapter when the vessel returns to a port in which an Officer in Charge, Marine Inspection, is located, except in the case of minor repairs which in the opinion of the Officer in Charge, Marine Inspection, do not materially affect the safety of the boiler or pressure vessel.

(b) Repair welding of power boilers not meeting requirements for class I welding is prohibited unless the stress is carried by such other type(s) of construction complying with the requirements of this subchapter, and where the adequacy of the boiler design is not solely dependent upon the strength of the welds.

(c) Welding repairs are permitted in stay-bolted areas or areas adequately stayed by other means so that should failure of the welds occur the stress will be carried by stays. The welds shall be located entirely within stay-bolted areas which prohibit welds passing through the outer row of stays.

(d) Cracks extending from the calking edge of plates to the rivet holes of circumferential joints may be welded provided the cracks are veed out so that complete penetration of the weld metal is secured.

(e) Circumferential cracks from rivet hole to rivet hole in girth joints may be welded provided there are not more than three consecutive cracked ligaments nor more than a total of six cracked ligaments in any one girth joint.

(f) Cracks in staybolted plates may be welded provided they are located entirely within staybolted areas and the total length of any crack or series of consecutive cracks does not exceed two staybolt pitches.

(g) Cracks in plain, circular or Adamson ring or similar type furnaces may be welded provided any one crack does not exceed 12 inches in length and after completion the weld is stress-relieved as required by § 56.01–70 of this subchapter. Cracks in corrugated furnaces may be repaired by welding provided any one crack does not exceed 20 inches in length.

(h) Fire cracks may be welded at riveted door openings extending from the edge of the plate, but not more than 2 inches beyond the centerline of the rivet holes.

(i) Cracks may be welded between tube holes in the shell of water-tube boiler drums, provided there are not more than two cracks in any one row in any direction, nor more than a total of four cracks in a drum, and further provided the welding meets the requirements of this subchapter for class I welding and is approved by the Commandant.

(j) All cracks permitted to be repaired under this subpart shall be excavated to sound metal by grinding, flame gouging or chipping out the defective metal to form a clean welding groove. Either a vee groove or "U" groove wherein complete penetration of the weld metal is secured may be used. The first two methods of excavation are preferable. After excavation is completed and prior to welding, the excavated area shall be examined by magnetic particle testing to insure that the entire crack was excavated. When the reverse side of the weld is accessible the root of the weld shall be chipped or ground out to insure a clean surface of the originally deposited metal and the resultant groove welded to obtain a sound weld having complete penetration. During welding a preheat of 200 degrees plus or minus 50 degrees F. shall be maintained by controlled temperature. For thicknesses exceeding ¾ inch, suitable "U" grooves should be employed. A welding sequence shall be used so as to equalize welding stresses. Each complete bead of welding except the last shall be peened before depositing the succeeding bead.

(k) After cracks originating in tube or rivet holes are repaired by welding the holes shall be properly reamed and the weld reinforcing ground flush with the plate in way of rivet heads.

(l) The welding of cracks or the repairs to drums of power boilers, except as otherwise permitted in this subpart is prohibited.

(m) The edge preparation and preheat of butt-welded joints employed in the renewal of defective or corroded boiler plates shall comply with the requirements of paragraph (j) of this section.

(n) It is not permitted to reinforce or build up by welding the heads of rivets or staybolts that have deteriorated. Such rivets or staybolts shall be replaced. The seal welding of rivet heads to secure tightness is prohibited.

(o) Corroded surfaces in the calking edges of circumferential seams may be built up by welding to the original thickness under the following conditions:

(1) The thickness of the original metal to be built up between rivet holes and calking edge shall not be less than one-fourth of the diameter of the rivet hole, and the portion of the calking edge to be thus reinforced shall not exceed 30 inches in length in a circumferential direction.

(2) In all repairs to circumferential seams by welding, the rivets shall be removed over the portions to be welded for a distance of at least 6 inches beyond the repaired portion.

(3) After repairs are made the rivet holes shall be reamed before the rivets are re-driven.

(p) Where leaks occur in riveted joints or connections, they shall be carefully investigated to determine the cause. Such leaks may be made tight by seal welding the edge, if, in the opinion of the Officer in Charge, Marine Inspection, this will make a satisfactory repair.

(q) It is not permissible to build up or reinforce a grooved or corroded area of unstayed internal surfaces by means of welding, except that widely scattered pit holes may be built up by welding.

(r) Where external corrosion has reduced the thickness of flat plates around hand holes to an extent of not more than 40 percent of the original thickness and for a distance not exceeding 2 inches from the edge of the hole, the plate may be built up by welding.

(s) Where stayed sheets have corroded to a depth not exceeding 40 percent of their original thickness, they may be reinforced or built up by welding. Where the staybolts are fitted with riveted heads, the staybolts in the reinforced area shall be renewed in accordance with the provisions of Subparts 52.30 and 52.35 of this subchapter, but where the staybolts are fitted with nuts, the nuts may be removed and after reinforcing has been applied, collars may be welded around the staybolts in lieu of the nuts. Such reinforced areas shall not exceed 400 square inches nor more than 30 inches in one direction. Two such areas in any one plate may be reinforced: *Provided*, That the distance between the reinforced surfaces is not less than 30 inches.

(t) When the corroded portion of a staybolted surface exceeds 400 square inches, it is permissible to repair the same by cutting out the defective portion and replacing it with a new plate, the edges of the new plate to be welded in position. In such cases, new staybolts shall be fitted in accordance with the requirements of Subparts 52.30 and 52.35 of this subchapter and where welding is performed through a line of staybolts, welded collars as required by figure 52.35–1 of this subchapter shall be used to attach the staybolts.

(u) Flat tube sheets in fire-tube boilers which have corroded or where cracks exist in the ligaments may be repaired by welding.

(v) Unreinforced openings in the shells or drums of boilers or pressure vessels, the diameter of which does not exceed the maximum diameter of an unreinforced opening in accordance with figures 52.25–15 (b1) and 52.25–15 (b2) of this subchapter, may be closed by the use of a patch or plate inside the drum or shell and sealed against leakage by welding. Such plates shall have a diameter of at least 2 inches larger than the diameter of the hole and shall have a thickness equal to the thickness of the plate to which it is attached. It is not permissible to insert such patches in the shell or head flush with the surrounding plate unless the requirements of this subchapter for Class I welding are met.

(w) Portions of tube sheets which have deteriorated may be renewed by replacing the wasted portion with a new section. The ligaments between the tube holes may be joined by means of welding and staytubes, or other acceptable means of lowering the stress on the repaired section may be installed if in the judgment

of the Officer in Charge, Marine Inspection, it is necessary.

(x) Where leaks develop around staybolts which are otherwise in good condition, the nuts may be replaced with a beveled collar formed around the end of the stay by means of welding. In such cases, the depth of the collar measured on the stay and the width measured on the plate, shall be equal to one-half the diameter of the staybolt. (See figure 52.35-1 (l) of this subchapter.)

(y) Only welded repairs as specified in this subchapter are permitted on boilers and unfired pressure vessels. Such method of repairs by means of welding not covered by regulations in this subchapter shall be referred to the Commandant and may be authorized by him if, in his opinion, it meets the intent of the regulations in this subchapter. Welding repairs to boilers and unfired pressure vessels fabricated of alloy steel will be given special consideration by the Commandant.

(R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, and 50 U. S. C. 1275)

4. Section 57.15-25 is amended to read as follows:

§ 57.15-25 *Repair of wrapper plates and back heads.* Wrapper plates and back heads may be renewed in whole or repaired as follows:

(a) Wrapper plates or back heads shall be cut between two rows of staybolts or on a line of staybolts where the thickness is approximately the same as the original construction. If welding is employed on a line of staybolts, the staybolts shall be fitted with a welded collar as required in figure 52.35-1 of this subchapter.

(b) The edges of wrapper plates riveted to tube sheets and back heads shall be removed by cutting out the rivets.

(c) The edges of existing plates and new plates shall be beveled by chipping, flame cutting, or grinding so as to form a suitable groove whereby complete penetration of the weld metal will be obtained. The edge preparation and preheat shall comply with the requirements of § 57.15-1 (j).

(d) The edges of the new plate shall be butt-welded and the plate shall be riveted to the flanges of the tube sheet and back heads and the staybolts renewed.

(e) Sections of wrapper plates of combustion chambers outside of stayed areas may be repaired by welding provided the welded joints are stress-relieved by means of controlled heat and the joints are nondestructively tested.

(R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, and 50 U. S. C. 1275)

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.64 is amended to read as follows:

§ 59.64 *Subdivision and watertight integrity of passenger vessels of less than 150 gross tons.* (a) Every mechanically propelled vessel of less than 150 gross tons, whether or not specifically required by paragraph (b) of this section to meet a one-compartment standard of subdivision, shall be fitted with not less than 3 transverse watertight bulkheads.

(b) Every passenger vessel carrying more than 49 passengers, or of more than 75 gross tons and less than 150 gross tons, shall be subdivided so as to be capable of remaining afloat and with positive stability with any one main compartment flooded.

(c) To be considered effective, watertight bulkheads abaft the collision bulkhead shall be spaced not less than 10 feet plus 3 percent of the load waterline length. The collision bulkhead shall be fitted not more than 10 feet plus 5 percent of the load waterline length abaft the bow at the load waterline and not less than 5 percent of the load waterline length (5-foot minimum for steam vessels) abaft the bow at the load waterline. Bulkheads in vessels of wood construction (except steam vessels) may be of wood.

(d) Watertight bulkheads shall not be stepped unless additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead. If watertight bulkheads are recessed, either the recess shall be inboard from the vessel's side by at least one-fifth the beam amidships measured at right angles to the center line at the level of the load waterline, or additional subdivision shall be provided in way of the recess to maintain the same measure of safety as that secured by a plane bulkhead. Where the vessel can withstand the flooding of the two adjacent compartments separated by a stepped or recessed bulkhead and no part of such bulkhead is nearer to either of the other bulkheads bounding the adjacent compartments than is permitted by paragraph (c) of this section, the step or recess will be acceptable.

(e) Permeability of machinery spaces shall be taken at 85 percent and of all other spaces at 95 percent, except as follows:

(1) Tanks, chain lockers, and spaces normally filled with cargo, stores, mail, or baggage in the full load condition may be taken at a permeability of 60 percent.

(2) For purposes of calculating stability in the damaged condition, tanks or tight voids shall be taken either at 95 percent permeability or at zero permeability whichever results in the more severe requirement.

(f) In making subdivision calculations, the undamaged vessel is to be assumed floating at the maximum service draft and at a trim consistent therewith. Sinkage, trim, and heel after damage shall not be permitted beyond a margin line 3 inches below the top of the bulkhead deck at side. In the case of vessels, where the mean of the maximum sheer forward and aft is less than 12 inches, a modified margin line 3 inches below the top of the bulkhead deck at the ends of the vessel but lowered throughout its length so as to have a mean parabolic sheer of 12 inches is to be used. Where the bulkhead deck is not continuous the margin line shall be such as to give at least a standard of safety equivalent to the foregoing.

(g) Heel due to final unsymmetrical flooding shall be limited to fifteen degrees, except that under circumstances where such heel after damage may be deemed to constitute an undue hazard, the Commandant may require a lesser angle of heel. Equalizing arrangements, where required, shall not be dependent either upon manual or automatic operation of valves. Temporary heel prior to full equalization shall not be excessive.

(h) The bulkhead deck, or superstructure inclosing any portion thereof, shall be effectively weathertight. Adequate freeing arrangements shall be provided.

(i) Portlights shall not be fitted below the margin line.

(j) Openings in watertight bulkheads shall be the minimum consistent with proper operation of the vessel and shall be located as high in the bulkheads and as far inboard as practicable. Watertight doors are not permitted in forepeak bulkheads. Watertight doors between cargo spaces or between cargo and working spaces will not ordinarily be permitted. Watertight doors within accommodation and working spaces shall in no case exceed five in number and shall be of approved hand-operated sliding type. On vessels which do not proceed more than 20 miles from the nearest land, approved hinged watertight doors may be substituted for sliding doors providing such doors can be kept normally closed, except when actually being used for transit. Every space used by passengers or crew during the voyage shall have a vertical means of access independent of watertight doors. Sluice valves are not permitted in watertight bulkheads.

(k) Special consideration will be given to departures from the specific requirements of the regulations in this section when it can be shown that the special circumstances or arrangements warrant such departures.

(l) Any passenger vessel whose keel was laid before April 15, 1951, or any vessel converted to a passenger vessel before April 15, 1951, while normally required to essentially comply with a one-compartment standard of subdivision, is not subject to compliance with this standard or to the detail requirements of the regulations in this section to a greater extent than is found reasonable and practicable.

(R. S. 4405, 4417, 4426, 4490, 49 Stat. 1384, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 369, 375, 391, 404, 482, 483, 1333, and 50 U. S. C. 1275)

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.57 is amended to read as follows:

§ 60.57 *Subdivision and watertight integrity of passenger vessels of less than 150 gross tons.* (a) Every mechanically propelled vessel of less than 150 gross tons, whether or not specifically required by paragraph (b) of this section to meet

a one-compartment standard of subdivision, shall be fitted with not less than 3 transverse watertight bulkheads. On such a vessel operating not more than 15 miles from the mouth of bays or harbors, air tankage or other internal buoyancy sufficient to float the vessel when completely flooded may be substituted for the after two of the three required bulkheads, but a collision bulkhead extending to the weather deck shall be fitted on each vessel. The use of internal buoyancy shall not permit omission of bulkheads required by other regulations in this chapter dealing with machinery installations, etc.

(b) Every passenger vessel carrying more than 49 passengers or of more than 75 gross tons and less than 150 gross tons shall be subdivided so as to be capable of remaining afloat with positive stability with any one main compartment flooded.

(c) To be considered effective watertight bulkheads abaft the collision bulkhead shall be spaced not less than 10 feet plus 3 percent of the load water line length. The collision bulkhead shall be fitted not more than 10 feet plus 5 percent of the load water line length abaft the bow at the load water line and not less than 5 percent of the load water line length (5-foot minimum for steam vessels) abaft the bow at the load water line. Bulkheads in vessels of wood construction (except steam vessels) may be of wood.

(d) Watertight bulkheads shall not be stepped unless additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead. If watertight bulkheads are recessed, either the recess shall be inboard from the vessel's side by at least one-fifth the beam amidships measured at right angles to the center line at the level of the load waterline, or additional subdivision shall be provided in way of the recess to maintain the same measure of safety as that secured by a plane bulkhead. Where the vessel can withstand the flooding of the two adjacent compartments separated by a stepped or recessed bulkhead and no part of such bulkhead is nearer to either of the other bulkheads bounding the adjacent compartments than is permitted by paragraph (c) of this section, the step or recess will be acceptable.

(e) Permeability of machinery spaces shall be taken at 85 percent and of all other spaces at 95 percent, except as follows:

(1) Tanks, chain lockers, and spaces normally filled with cargo, stores, mail, or baggage in the full load condition may be taken at a permeability of 60 percent.

(2) For purposes of calculating stability in the damaged condition, tanks or tight voids shall be taken either at 95 percent permeability or at zero permeability whichever results in the more severe requirement.

(f) In making subdivision calculations, the undamaged vessel is to be assumed floating at the maximum service draft and at a trim consistent therewith. Sinkage, trim, and heel after damage shall not be permitted beyond a margin line 3 inches below the top of the bulkhead deck at side. In the case of vessels, where the mean of the maximum sheer forward and aft is less than 12 inches, a modified margin line 3 inches below the top of the bulkhead deck at the ends of the vessel but lowered throughout its length so as to have a mean parabolic sheer of 12 inches is to be used. Where the bulkhead deck is not continuous the margin line shall be such as to give at least a standard of safety equivalent to the foregoing.

(g) Heel due to final unsymmetrical flooding shall be limited to fifteen degrees, except that under circumstances where such heel after damage may be deemed to constitute an undue hazard, the Commandant may require a lesser angle of heel. Equalizing arrangements, where required, shall not be dependent either upon manual or automatic operation of valves. Temporary heel prior to full equalization shall not be excessive.

(h) The bulkhead deck, or superstructure inclosing any portion thereof, shall be effectively weathertight. Adequate freeing arrangements shall be provided. On vessels having internal buoyancy, as permitted under paragraph (a) of this section, a bulkhead deck is not required.

(i) Portlights shall not be fitted below the margin line.

(j) Openings in watertight bulkheads shall be the minimum consistent with proper operation of the vessel and shall be located as high in the bulkheads and as far inboard as practicable. Watertight doors are not permitted in forepeak bulkheads. Watertight doors between cargo spaces or between cargo and working spaces will not ordinarily be permitted. Watertight doors within accommodation and working spaces shall in no case exceed five in number and shall be of approved hand-operated sliding type. On vessels which do not proceed more than 20 miles from the nearest land, approved hinged watertight doors may be substituted for sliding doors providing such doors can be kept normally closed except when actually being used for transit. Every space used by passengers or crew during the voyage shall have a vertical means of access independent of watertight doors. Sluice valves are not permitted in watertight bulkheads.

(k) Special consideration will be given to departures from the specific requirements of the regulations in this section when it can be shown that the special circumstances or arrangements warrant such departures.

(l) Any passenger vessel whose keel was laid before April 15, 1951, or any vessel converted to a passenger vessel before April 15, 1951, while normally required to essentially comply with a one-compartment standard of subdivision, is not subject to compliance with this standard or to the detail requirements of the regulations in this section to a greater extent than is found reasonable and practicable.

(R. S. 4405, 4417, 4426, 4490, 49 Stat. 1384, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391, 404, 482, 483, 1333, and 50 U. S. C. 1275)

Subchapter H—Great Lakes: General Rules and Regulations

Part 76—Boats, Rafts, Bulkheads, and Lifesaving Appliances

Section 76.57 is amended to read as follows:

§ 76.57 *Subdivision and watertight integrity of passenger vessels.* (a) Every mechanically propelled vessel, whether or not specifically required by this section to meet a one-compartment or better standard of subdivision, shall be fitted with not less than 3 transverse watertight bulkheads. On such a vessel operating not more than 15 miles from the mouth of bays or harbors, air tankage or other internal buoyancy sufficient to float the vessel when completely flooded may be substituted for the after two of the three required bulkheads, but a collision bulkhead extending to the weather deck shall be fitted on each vessel. The use of internal buoyancy shall not permit omission of bulkheads required by other regulations in this chapter dealing with machinery installations, etc.

(b) Every passenger vessel carrying more than 49 passengers or of more than 75 gross tons shall be so subdivided as to be capable of remaining afloat with positive stability with any one main compartment flooded.

(c) Every passenger vessel carrying more than 400 passengers shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with the forepeak and the adjacent main compartment both flooded.

(d) Every passenger vessel carrying more than 600 passengers shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with any two adjacent main compartments within at least the forward 40 percent of the vessel's length from the forward perpendicular flooded.

(e) Every passenger vessel carrying more than 800 passengers shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with any two adjacent main compartments within at least 60 percent of the vessel's length from the forward perpendicular flooded.

(f) Every passenger vessel carrying more than 1,000 passengers shall, in addition, be so subdivided by main transverse watertight bulkheads as to be capable of remaining afloat and with positive stability with any two adjacent main compartments flooded.

(g) To be considered effective, watertight bulkheads abaft the collision bulkhead shall be spaced not less than 10 feet plus 3 percent of the load waterline length. The collision bulkhead shall be fitted not more than 10 feet plus 5 percent of the load waterline length abaft the bow at the load waterline and not less than 5 percent of the load waterline length (5-foot minimum for steam vessels) abaft the bow at the load waterline. Bulkheads in vessels of wood construction (except steam vessels) may be of wood. On vessels of 150 gross tons or over, stern tubes shall be enclosed in watertight spaces: The stern glands

shall be situated within a watertight shaft tunnel or other space of such volume that if flooded by leakage through the stern gland the margin line will not be submerged.

(h) Watertight bulkheads shall not be stepped unless additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead. If watertight bulkheads are recessed, either the recess shall be inboard from the vessel's side by at least one-fifth the beam amidships measured at right angles to the centerline at the level of the load waterline, or additional subdivision shall be provided in way of the recess to maintain the same measure of safety as that secured by a plane bulkhead. Where the maximum molded beam at the deck and at the load waterline differ appreciably the inboard damage penetration may be assumed at a mean position between that corresponding to one-fifth the maximum molded beam at the deck measured inboard at the deck, and that corresponding to one-fifth the maximum molded beam at the load waterline measured inboard at the load waterline. Where the vessel can withstand the flooding of the two adjacent compartments separated by a stepped or recessed bulkhead and no part of such bulkhead is nearer to either of the other bulkheads bounding the adjacent compartments than is permitted by paragraph (g) of this section the step or recess will be acceptable.

(i) Permeability of machinery spaces shall be taken at 85 percent and of all other spaces at 95 percent, except as follows:

(1) Tanks, chain lockers, and spaces normally filled with cargo, stores, mail, or baggage in the full load condition may be taken at a permeability of 60 percent.

(2) For purposes of calculating stability in the damage condition, tanks or tight voids shall be taken either at 95 percent permeability or at zero permeability whichever results in the more severe requirement.

(j) In making subdivision calculation, the undamaged vessel is to be assumed floating at the maximum service draft and at a trim consistent therewith. Sinkage, trim, and heel after damage shall not be permitted beyond a margin line 3 inches below the top of the bulkhead deck at side. In the case of vessels, where the mean of the maximum sheer forward and aft is less than 12 inches, a modified margin line 3 inches below the top of the bulkhead deck at the ends of the vessel but lowered throughout its length so as to have a mean parabolic sheer of 12 inches is to be used. Where the bulkhead deck is not continuous the margin line shall be such as to give at least a standard of safety equivalent to the foregoing.

(k) Heel due to final unsymmetrical flooding shall be limited to fifteen degrees, except that under circumstances where such heel after damage may be deemed to constitute an undue hazard, the Commandant may require a lesser angle of heel. Equalizing arrangements, where required, shall not be dependent either upon manual or automatic operation of valves. Temporary heel prior to full equalization shall not be excessive.

(l) The bulkhead deck, or superstructure inclosing any portion thereof, shall be effectively weathertight. Adequate freeing arrangements shall be provided. On vessels having internal buoyancy, as permitted under paragraph (a) of this section, a bulkhead deck is not required.

(m) Portlights shall not be fitted below the margin line.

(n) Openings in watertight bulkheads shall be the minimum consistent with proper operation of the vessel and shall be located as high in the bulkheads and as far inboard as practicable. Watertight doors are not permitted in forepeak bulkheads. Watertight doors between cargo spaces or between cargo and working spaces will not ordinarily be permitted. Watertight doors within accommodation and working spaces, and having their sills below the subdivision waterline, shall not exceed 5 in number and shall be of approved hand-operated sliding type. Where it can be shown that more than 5 such watertight doors are required they shall be of approved power operated sliding type. On vessels which do not proceed more than 20 miles from the nearest land, approved hinged watertight doors may be substituted for hand-operated sliding doors providing such doors can be kept normally closed except when actually being used for transit. Where watertight doors are required above a deck which, at its lowest point at side, is at least 7 feet above the subdivision waterline, such doors may be of approved hinged type. Every space used by passengers or crew during the voyage shall have a vertical means of access independent of watertight doors. Sluice valves are not permitted in watertight bulkheads.

(o) Special consideration will be given to departures from the specific requirements of the regulations in this section when it can be shown that the special circumstances or arrangements warrant such departures.

(p) Any passenger vessel whose keel was laid before April 15, 1951, or any vessel converted to a passenger vessel before April 15, 1951, if of more than 75 gross tons, is normally required to comply with a one-compartment standard of subdivision. Such a vessel, however, is not subject to compliance with a one-compartment standard, or to the detail requirements of the regulations in this section to a greater extent than is found reasonable and practicable.

(R. S. 4405, 4417, 4426, 4490, 24 Stat. 129, 46 Stat. 888, 49 Stat. 1384, 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244 as amended; 46 U. S. C. 88a, 367, 369, 375, 391, 404, 482, 483, 1333, and 50 U. S. C. 1275; E. O. 7548, 2 F. R. 257)

PART 80—FERRYBOATS

Section 80.2 is amended to read as follows:

§ 80.2 *Subdivision and watertight integrity of ferry vessels.* (a) Every passenger ferry vessel shall be so subdivided by main transverse watertight bulkheads as to be capable of remaining afloat and with positive stability with any one main compartment flooded, unless provided with air tankage or other internal buoyancy sufficient to float the flooded vessel. The use of internal buoyancy shall not permit omission of bulkheads required by other regulations of this chapter dealing with machinery installation, etc.

(b) Every passenger ferry vessel above 150 feet in waterline length shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with either of the peak compartments and its adjacent main compartment both flooded.

(c) Every passenger ferry vessel above 200 feet in waterline length shall, in addition, be so subdivided by main transverse bulkheads as to be capable of remaining afloat and with positive stability with any two adjacent main compartments flooded.

(d) (1) To be considered effective, watertight bulkheads between the peak bulkheads shall be spaced not less than 10 feet plus 3 percent of the load waterline length. The peak bulkheads shall be fitted not less than 5 percent of the load waterline length and not more than 10 feet plus 5 percent of the load waterline length from the ends of the vessel at the load waterline.

(2) On ferryboats of 150 gross tons or over, shaft tubes shall be enclosed in watertight spaces. The glands shall be situated within watertight shaft tunnels or other spaces of such volume that the flooding by leakage through either gland will not submerge the margin line.

(e) Watertight bulkheads shall not be stepped unless additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead. If watertight bulkheads are recessed, either the recess shall be inboard from the vessel's side by at least one-fifth the beam amidships measured at right angles to the center line at the level of the load waterline, or additional subdivision shall be provided in way of the recess to maintain the same measure of safety as that secured by a plane bulkhead. Where the maximum molded beam at the deck and at the load waterline differ appreciably the inboard damage penetration may be assumed at a mean position between that corresponding to one-fifth the maximum molded beam at the deck measured inboard at the deck, and that corresponding to one-fifth the maximum molded beam at the load waterline measured inboard at the load waterline. Where the vessel can withstand the flooding of the two adjacent compartments separated by a stepped or recessed bulkhead and no part of such bulkhead is nearer to either of the other bulkheads bounding the adjacent compartments than is permitted by paragraph (d) of this section, the step or recess will be acceptable.

(f) Permeability of machinery spaces shall be taken at 85 percent and of all other spaces at 95 percent, except for purposes of calculating stability in the damaged condition, tanks or tight voids shall be taken either at 95 percent permeability or at zero permeability whichever results in the more severe requirement.

(g) In making subdivision calculations, the undamaged vessel is to be assumed floating at the maximum service draft and at a trim consistent therewith. Sinkage, trim, and heel after damage shall not be permitted beyond a margin line 3 inches below the top of the bulkhead deck at side. In the case of vessels, where the mean of the maximum sheer forward and aft is less than 12 inches, a modified margin line 3 inches below the top of the bulkhead deck at the end of the vessel but lowered throughout its length so as to have a mean parabolic sheer of 12 inches is to be used. Where the bulkhead deck is not continuous the margin line shall be such as to give at least a standard of safety equivalent to the foregoing.

(h) Heel due to final unsymmetrical flooding shall be limited to fifteen degrees, except that under circumstances where such heel after damage may be deemed to constitute an undue hazard, the Commandant may require a lesser angle of heel. Equalizing arrangements, where required, shall not be dependent either upon manual or automatic operation of valves. Temporary heel prior to full equalization shall not be excessive.

(i) The bulkhead deck, or superstructure enclosing any portion thereof, shall be effectively weathertight. Adequate freeing arrangements shall be provided. On vessels having internal buoyancy, as permitted under paragraph (a) of this section, a bulkhead deck is not required.

(j) Portlights shall not be fitted below the margin line.

(k) Openings in watertight bulkheads shall be the minimum consistent with proper operation of the vessel and shall be located as high in the bulkhead and so far inboard as practicable. Watertight doors are not permitted in peak bulkheads. Watertight doors within accommodation and working spaces shall be of approved hand-operated sliding type. However, doors which can be kept normally closed except when actually being used for transit, may be hinged doors of approved type. Every space used by passengers or crew during the voyage shall have a vertical means of access independent of watertight doors. Sluice valves are not permitted in watertight bulkheads.

(l) Special consideration will be given to departures from the specific requirements of the regulations in this part when it can be shown that the special circumstances or arrangements warrant such departures.

(m) Any passenger ferry vessel whose keel was laid before April 15, 1951, or any vessel converted to passenger ferry service before April 15, 1951, while normally required to essentially comply with a one-compartment standard of subdivision, is not subject to compliance with this standard or to the detail requirements of the regulations in this part to a greater extent than is found reasonable and practicable.

(R. S. 4405, 4417, 4426, 4490, 24 Stat. 129, 46 Stat. 888, 49 Stat. 1384, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 88a, 369, 375, 391, 404, 482, 483, 1333, and 50 U. S. C. 1275; E. O. 7548, 2 F. R. 257)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 94.56 is amended to read as follows:

§ 94.56 *Subdivision and watertight integrity of passenger vessels.* (a) Every mechanically propelled vessel carrying passengers for hire shall have not less than three transverse watertight bulkheads, unless provided with air tankage or other internal buoyancy sufficient to float the flooded vessel. The use of internal buoyancy shall not permit omission of bulkheads required by other regulations in this chapter dealing with machinery installations, etc.

(b) Every passenger vessel carrying more than 49 passengers or of more than 75 gross tons shall be subdivided so as to be capable of remaining afloat and with positive stability with any one main compartment flooded.

(c) Every passenger vessel carrying more than 400 passengers shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with the forepeak and the adjacent main compartment both flooded.

(d) Every passenger vessel carrying more than 600 passengers shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with any two adjacent main compartments within at least the forward 40 percent of the vessel's length from the forward perpendicular flooded.

(e) Every passenger vessel carrying more than 800 passengers shall, in addition, be so subdivided as to be capable of remaining afloat and with positive stability with any two adjacent main compartments within at least 60 percent of the vessel's length from the forward perpendicular flooded.

(f) Every passenger vessel carrying more than 1,000 passengers shall, in addition, be so subdivided by main transverse watertight bulkheads so as to be capable of remaining afloat and with positive stability with any two adjacent main compartments flooded.

(g) To be considered effective, watertight bulkheads abaft the forepeak bulkhead shall be spaced not less than 10 feet plus 3 percent of the load waterline length. The forepeak bulkhead shall be fitted not less than 5 percent of the load waterline length and not more than 10 feet plus 5 percent of the load waterline length abaft the bow of the vessel at the load waterline.

(h) Watertight bulkheads shall not be stepped unless additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead. If watertight bulkheads are recessed, either the recess shall be inboard from the vessel's side by at least one-fifth the beam amidships measured at right angles to the center line at the level of the load waterline, or additional subdivision shall be provided in way of the recess to maintain the same measure of safety as that secured by a plane bulkhead. Where the maximum molded beam at the deck and at the load waterline differ appreciably the inboard damage penetration may be assumed at a mean position between that corresponding to one-fifth the maximum molded beam at the deck measured inboard at the deck, and that corresponding to one-fifth the maximum molded beam at the load waterline measured inboard at the load waterline. Where the vessel can withstand the flooding of the two adjacent compartments separated by a stepped or recessed bulkhead and no part of such bulkhead is nearer to either of the other bulkheads bounding the adjacent compartments than is permitted by paragraph (g) of this section, the step or recess will be acceptable.

(i) Permeability of machinery spaces shall be taken at 85 percent and of all other spaces at 95 percent, except as follows:

(1) Tanks, chain lockers, and spaces normally filled with cargo, stores, mail, or baggage in the full load condition may be taken at a permeability of 60 percent.

(2) For purposes of calculating stability in the damaged condition, tanks or tight voids shall be taken either at 95 percent permeability or at zero permeability whichever results in the more severe requirements.

(j) In making subdivision calculations, the undamaged vessel is to be assumed floating at the maximum service draft and at a trim consistent therewith. Sinkage, trim, and heel after damage shall not be permitted beyond a margin line 3 inches below the top of the bulkhead deck at side. In the case of vessels, where the mean of the maximum sheer forward and aft is less than 12 inches, a modified margin line 3 inches below the top of the bulkhead deck at the ends of the vessel but lowered throughout its length so as to have a mean parabolic sheer of 12 inches is to be used. Where the bulkhead deck is not continuous the margin line shall be such as to give at least a standard of safety equivalent to the foregoing.

(k) Heel due to final unsymmetrical flooding shall be limited to fifteen degrees, except that under circumstances where such heel after damage may be deemed to constitute an undue hazard, the Commandant may require a lesser angle of heel. Equalizing arrangements, where required, shall not be dependent either upon manual or automatic operation of valves. Temporary heel prior to full equalization shall not be excessive.

(l) The bulkhead deck, or superstructure inclosing any portion thereof, shall be effectively weathertight. Adequate freeing arrangements shall be provided. On vessels having internal buoyancy, as permitted under paragraph (a) of this section, a bulkhead deck is not required.

(m) Portlights shall not be fitted below the margin line.

(n) Openings in watertight bulkheads shall be the minimum consistent with proper operation of the vessel and shall be located as high in the bulkheads and as far inboard as practicable. Watertight doors are not permitted in forepeak bulkheads. Watertight doors between cargo spaces or between cargo and working spaces will not ordinarily be permitted. Watertight doors within accommodation and working spaces

shall in no case exceed five in number and shall be of approved hand-operated sliding type. Approved hinged watertight doors may be substituted for sliding doors providing such doors can be kept normally closed except when actually being used for transit. Every space used by passengers or crew during the voyage shall have a vertical means of access independent of watertight doors. Sluice valves are not permitted in watertight bulkheads.

(o) Special consideration will be given to departures from the specific requirements of the regulations in this section when it can be shown that the special circumstances or arrangements warrant such departures.

(p) Any passenger vessel whose keel was laid before April 15, 1951, or any vessel converted to a passenger vessel before April 15, 1951, if of more than 75 gross tons, is normally required to comply with a one-compartment standard of subdivision. Such vessel, however, is not subject to compliance with a one-compartment standard, or to the detail requirements of the regulations in this section to a greater extent than is found reasonable and practicable.

(R. S. 4405, 4417, 4426, 4490, 24 Stat. 129, 49 Stat. 1384, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391, 404, 482, 483, 1333, and 50 U. S. C. 1275.)

PART 98—FERRYBOATS

§ 98.2 *Subdivision and watertight integrity of ferry vessels.* (a) Every passenger ferry vessel shall be subdivided by main transverse watertight bulkheads so as to be capable of remaining afloat and with positive stability with any one main compartment flooded, unless provided with air tankage or other internal buoyancy sufficient to float the flooded vessel. The use of internal buoyancy shall not permit omission of bulkheads required by other regulations in this chapter dealing with machinery installations, etc.

(b) Every passenger ferry vessel above 150 feet in waterline length shall, in addition be so subdivided as to be capable of remaining afloat and with positive stability with either of the peak compartments and its adjacent main compartment both flooded.

(c) Every passenger ferry vessel above 200 feet in waterline length shall, in addition, be so subdivided by main transverse bulkheads as to be capable of remaining afloat and with positive stability with any two adjacent main compartments flooded.

(d) To be considered effective, watertight bulkheads between the peak bulkheads shall be spaced not less than 10 feet plus 3 percent of the load waterline length. The peak bulkheads shall be fitted not less than 5 percent of the load waterline length and not more than 10 feet plus 5 percent of the load waterline length from the ends of the vessel at the load waterline.

(e) Watertight bulkheads shall not be stepped unless additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead. If watertight bulkheads are recessed, either the recess shall be inboard from the vessel's side by at least one-fifth the beam amidships measured at right angles to the center line at the level of the load waterline, or additional subdivision shall be provided in way of the recess to maintain the same measure of safety as that secured by a plane bulkhead. Where the maximum molded beam at the deck and at the load waterline differ appreciably the inboard damage penetration may be assumed at a mean position between that corresponding to one-fifth the maximum molded beam at the deck measured inboard, at the deck, and that corresponding to one-fifth the maximum molded beam at the load waterline measured inboard at the load waterline. Where the vessel can withstand the flooding of the two adjacent compartments separated by a stepped or recessed bulkhead and no part of such bulkhead is nearer to either of the other bulkheads bounding the adjacent compartments than is permitted by paragraph (d) of this section, the step or recess will be acceptable.

(f) Permeability of machinery spaces shall be taken at 85 percent and of all other spaces at 95 percent, except for purposes of calculating stability in the damaged condition, tanks or tight voids shall be taken either at 95 percent permeability or at zero permeability whichever results in the more severe requirement.

(g) In making subdivision calculations, the undamaged vessel is to be assumed floating at the maximum service draft and at a trim consistent therewith. Sinkage, trim, and heel after damage shall not be permitted beyond a margin line 3 inches below the top of the bulkhead deck at side. In the case of vessels, where the mean of the maximum sheer forward and aft is less than 12 inches, a modified margin line 3 inches below the top of the bulkhead deck at the ends of the vessel but lowered throughout its length so as to have a mean parabolic sheer of 12 inches is to be used. Where the bulkhead deck is not continuous the margin line shall be such as to give at least a standard of safety equivalent to the foregoing.

(h) Heel due to final unsymmetrical flooding shall be limited to fifteen degrees, except that under circumstances where such heel after damage may be deemed to constitute an undue hazard, the Commandant may require a lesser angle of heel. Equalizing arrangements, where required, shall not be dependent either upon manual or automatic operation of valves. Temporary heel prior to full equalization shall not be excessive.

(i) The bulkhead deck, or superstructure inclosing any portion thereof, shall be effectively weathertight. Adequate freezing arrangements shall be provided. On vessels having internal buoyancy, as permitted under paragraph (a) of this section, a bulkhead deck is not required.

(j) Portlights shall not be fitted below the margin line.

(k) Openings in watertight bulkheads shall be the minimum consistent with proper operation of the vessel and shall be located as high in the bulkheads and as far inboard as practicable. Watertight doors are not permitted in peak bulkheads. Watertight doors within accommodation and working spaces shall in no case exceed five in number and shall be of approved hand-operated sliding type. Approved hinged watertight doors may be substituted for sliding doors providing such doors can be kept normally closed except when actually being used for transit. Every space used by passengers or crew during the voyage shall have a vertical means of access independent of watertight doors. Sluice valves are not permitted in watertight bulkheads.

(l) Special consideration will be given to departures from the specific requirements of the regulations in this section when it can be shown that the special circumstances or arrangements warrant such departures.

(m) Any passenger ferry vessel whose keel was laid before April 15, 1951, or any vessel converted to passenger ferry service before April 15, 1951, while normally required to essentially comply with a one-compartment standard of subdivision, is not subject to compliance with this standard or to the detail requirements of the regulations in this section to a greater extent than is found reasonable and practicable.

(R. S. 4405, 4417, 4426, 49 Stat. 1384, and 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391, 404, and 50 U. S. C. 1275)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.50 is amended to read as follows:

§ 113.50 *Subdivision and watertight integrity of passenger vessels.* (See § 94.56 of this chapter, as amended, which is identical with this section.)

PART 117—FERRYBOATS

Section 117.2 is amended to read as follows:

§ 117.2 *Subdivision and watertight integrity of ferry vessels.* (See § 98.2 of this chapter, as amended, which is identical with this section.)

Subchapter N—Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

SUBPART—LIST OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ARTICLES SUBJECT TO THE REGULATIONS IN THIS SUBCHAPTER

1. The table in § 146.04-5 is amended by adding "carbon dioxide, solid" after "carbon dioxide, liquefied" as follows:

§ 146.04-5 *List of explosives and other dangerous articles and combustible liquids.*

Article	Classed as—	Label req.
* *	* *	* *
Carbon dioxide, solid	Haz.	

(R. S. 4405, 4472, as amended; 46 U. S. C. 170, 375)

SUBPART—RAILROAD VEHICLES LOADED WITH DANGEROUS SUBSTANCES AND TRANSPORTED ON BOARD CARGO VESSELS OR RAILROAD CAR FERRIES

2. Section 146.07-7 is amended to read as follows:

§ 146.07-7 *Stowage of railroad vehicles.* (a) Railroad vehicles in which are loaded any permitted explosives or other dangerous articles or substances which are certified on the shipping papers as being described, packed, marked and labeled in accordance with the I. C. C. regulations, or hazardous articles packed, marked and labeled in accordance with the regulations in this part, shall when taken on board a cargo vessel be stowed in accordance with the following provisions:

(1) *Explosives.* Vehicles loaded with permitted explosives are not required to be given magazine stowage. Such vehicles may be stowed "Under deck" and away from all sources of heat. Inflammable placarded vehicles (other than explosives), corrosive placarded vehicles, dangerous placarded vehicles and poison placarded vehicles shall not be stowed adjacent to vehicles loaded with explosives nor within a distance of two car lengths of vehicles loaded with explosives. In "anchoring" vehicles loaded with explosives securing means shall be fitted over the top of the car so as to completely secure the entire vehicle to prevent any movement of the body of the car.

(2) *Other dangerous articles.* Vehicles loaded with any other permitted dangerous articles shall be stowed on board the vessel in accordance with the stowages required in the tables for the substances within the vehicle. Such stowages are not feasible in each instance for railroad freight vehicles stowed below deck on cargo vessels; and, for the purpose of adopting these stowages to the conditions incident to transportation of railroad freight vehicles in this method of transportation, a conversion table is shown in this paragraph. Permitted stowages as shown in the tables for the substance loaded within the vehicle may be converted in accordance with the table and when so converted the stowage in column 2 of subparagraph (3) of this paragraph may be utilized in lieu of the stowage indicated under column 1 of subparagraph (3) of this paragraph.

(3) *Conversion table of stowage.*

(1)	(2)
Substances required by the tables forming part of these regulations to be stowed as follows:	May be stowed in the following locations when contained in railroad vehicles:
On deck in open.	Weather deck.
On deck protected.	Weather deck or 1st deck below.
On deck under cover.	Weather deck or 1st deck below.
Tween decks readily accessible.	Weather deck or 1st deck below.
Tween decks.	Any deck.
Cargo hatch trunkway.	Any deck.
Under deck.	Any deck.
Under deck but not overstowed.	Any deck.
Under deck away from heat.	Any deck but at least 1 car length from heat bulkhead.

(b) Stowage, on board a railroad car ferry operating as a cargo vessel, of railroad vehicles in which are loaded any permitted explosives or other dangerous articles or substances which are certified on the shipping papers as being described, packed, marked and labeled in accordance with the I. C. C. regulations, or hazardous articles packed, marked and labeled in accordance with the regulations in this part, may be any location on the car deck away from heat. Railroad vehicles containing carbon dioxide, solid, either as cargo or as a refrigerant, shall be stowed in a well-ventilated location.

(c) Stowage, on board a railroad car ferry operating as a passenger vessel, of railroad vehicles in which are loaded any permitted explosives or other dangerous articles or substances which are certified on the shipping papers as being described, packed, marked and labeled in accordance with the I. C. C. regulations, or combustible liquids, or hazardous articles certified on the shipping papers as being described, packed, marked and labeled as required by the regulations in this part, shall be in a location on the car deck in accordance with the provision of "Ferry stowage (BB)" as shown in § 146.03-34 (l). Railroad vehicles containing carbon dioxide, solid, either as cargo or as a refrigerant, shall be stowed in a well-ventilated location.

(R. S. 4405, 4472, as amended; 46 U. S. C. 170, 375)

SUBPART—HIGHWAY VEHICLES LOADED WITH DANGEROUS SUBSTANCES AND TRANSPORTED ON BOARD VESSELS

3. Section 146.08-6 is amended to read as follows:

§ 146.08-6 *Stowage of highway vehicles.* Highway vehicles in which are loaded any permitted explosives or other dangerous articles or combustible liquids which are certified by the vehicle operator in accordance with the provisions of § 146.08-4 shall when taken on board a vessel be stowed in accordance with the provisions for "Ferry stowage (AA)" as shown in § 146.03-34 (k). Highway vehicles containing carbon dioxide, solid, either as cargo or as a refrigerant, shall be stowed in a well-ventilated location.

(R. S. 4405, 4472, as amended; 46 U. S. C. 170, 375)

SUBPART—DETAILED REGULATIONS GOVERNING HAZARDOUS ARTICLES

4. Section 146.27-100 *Table K—Classification: Hazardous articles* is amended by addiing requirements regarding "carbon dioxide, solid (dry ice, carbonice)" to follow after "camphor (crude, refined, or synthetic)", reading as follows:

(In column 1 add): Carbon dioxide, solid (dry ice, carbonice).

NOTE: When carbon dioxide, solid is used as a refrigerant for other dangerous articles, the packing and stowage must comply with requirements for carbon dioxide, solid, and also with the requirements for the refrigerated material. Carbon dioxide, solid when used as a refrigerant for nonregulated commodities must comply with all the regulations for carbon dioxide, solid.

(In column 2 add): *A white, snow-like solid, usually compressed in cakes, having a very low temperature and generally used as a refrigerant. Will freeze tissue on even short contact. At temperatures above −109° F. (−78.5° C.) it passes from the solid to the gaseous state directly, evolving large quantities of a colorless, odorless, tasteless, noninflammable gas about 1½ times as heavy as air, which will cause suffocation if breathed in excessive quantities. Avoid breathing of concentrated vapors.*

Do not handle with bare hands.

Do not stow below decks.

Stow in a well-ventilated place where gas cannot accumulate, and away from open ventilation and direct openings.

Do not stow with sodium cyanide, potassium cyanide, or other materials which may develop hydrocyanic acid or similar poisonous gases.

Outside containers must be marked "Carbon dioxide, solid—Do not stow below decks".

Railroad cars and motor vehicles containing carbon dioxide, solid, when accepted for transportation on board vessels shall display suitable warnings on the outside of the vehicle, such as "Warning—CO_2, Solid (Dry Ice)."

(In column 3 add): No label required.

(In column 4 add): Stowage:

"On deck in open."

"On deck protected."

Outside containers: Strong outside containers capable of withstanding all shocks ordinarily incident to handling and stowage in transit. Containers must be provided with suitable means for the escape of the generated gas.

Motor vehicles.

Railroad cars.

(In column 5 add): Stowage:

"On deck in open."

"On deck protected."

Outside containers: Strong outside containers capable of withstanding all shocks ordinarily incident to handling and stowage in transit. Containers must be provided with suitable means for the escape of the generated gas.

(In column 6 add): Ferry stowage (AA).

Outside containers: Strong outside containers capable of withstanding all shocks ordinarily incident to handling and stowage in transit. Containers must be provided with suitable means for the escape of the generated gas.

(In column 7 add): Ferry stowage (BB).

Outside containers: Strong outside containers capable of withstanding all shocks ordinarily incident to handling and stowage in transit. Containers must be provided with suitable means for the escape of the generated gas.

Motor vehicles.

Railroad cars.

(In columns 4, 5, 6 and 7 add): The officer in charge of loading the vessel shall satisfy himself that the outside containers are sufficient in all respects for the purpose intended. He shall refuse any containers showing damage, or inability to properly contain the substance.

(R. S. 4405, 4472, as amended; 46 U. S. C. 170, 375)

Part 147—Regulations Governing Use of Dangerous Articles as Ships' Stores and Supplies on Board Vessels

SHIPS' STORES AND SUPPLIES OF A DANGEROUS NATURE

Section 147.05–100 *Table S—Classification: Ships' stores and supplies of a dangerous nature* is amended by adding "carbon dioxide, solid (dry ice)" as a separate commodity to follow "refrigerants Group 'B'," reading as follows:

(In column 1): Refrigerants, unclassified: Carbon dioxide, solid (dry ice).

(In column 2): For characteristics and hazards see "Carbon dioxide, solid (dry ice, carbonice)" in § 140.27–100, Table K. When used as a refrigerant, to be limited to well-ventilated spaces on or above weather deck. Warning sign at entrance to spaces in which stowed shall be "Warning—CO_2 Solid (Dry Ice)."

(In column 3): None.

(In columns 4, 5, 6, and 7): Method of stowage: Carbon dioxide, solid (dry ice) when used as a refrigerant shall be kept in a well-ventilated place where gas cannot accumulate and shall be kept away from open ventilation and direct openings. Appropriate warning sign at the entrances to the spaces in which stowed shall be used.

(R. S. 4405, 4472, as amended; 46 U. S. C. 170, 375)

Subchapter Q—Specifications

Part 160—Lifesaving Equipment

Part 160 is amended by adding a new subpart 160.044, reading as follows:

SUBPART 160.044—PUMPS, BILGE, LIFEBOAT, FOR MERCHANT VESSELS

Authority: §§ 160.044–1 to 160.044–6 issued under R. S. 4405, 4417a, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 481, 489, 1333, and 50 U. S. C. 1275.

SUBPART 160.044—PUMPS, BILGE, LIFEBOAT, FOR MERCHANT VESSELS

§ 160.044–1 *Applicable specifications.* (a) There are no other specifications applicable to this subpart.

§ 160.044–2 *Types and sizes*—(a) *Type.* Bilge pumps covered by this subpart shall be manually operated, either oscillating, wing type, or full rotary type, with mountings so arranged as to permit attachment to a thwart or other part of the lifeboat structure without interference with the seating arrangement. Alternate types, arrangements or materials, which meet the performance requirements of this subpart will be given special consideration.

(b) *Sizes.* Bilge pumps covered by this subpart shall be of three sizes, having capacities as follows:

(1) *Size No. 1.* 5 gallons per minute at 65 double strokes,[1] for lifeboats up to 330 cubic feet capacity.[2]

[1] A double stroke is a complete cycle from one extreme to the other and back again to the original starting point, or, for rotary type, one complete revolution.

[2] The capacity of a lifeboat for determining the size of the bilge pump shall be 0.6 times the product of the length, breadth, and depth of the lifeboat, in feet.

(2) *Size No. 2.* 6 gallons per minute at 50 double strokes, for lifeboats from 330 cubic feet up to 700 cubic feet capacity.

(3) *Size No. 3.* 15 gallons per minute at 50 double strokes, for lifeboats of 700 cubic feet or more capacity.

§ 160.044–3 *General requirements.* (a) Bilge pumps shall be of rugged construction, of first class workmanship in every respect, and free from any defects affecting serviceability. Where a choice of materials is permitted, the materials used shall be of good quality and suitable for the purpose intended, and shall be corrosion-resistant or protected against corrosion by acceptable means, except that parts subject to wear shall not depend upon coatings for corrosion resistance.

(b) Bilge pumps covered by this subpart shall be capable of operating against a head pressure of 20 pounds per square inch when tested in accordance with § 160.044–4 (c).

(c) The bilge pump body shall be of bronze and shall be provided with a cover plate or plates, attached by means of wing nuts at least 1¼ inches long, on not more than 6 studs, or by means of a suitable bayonet type joint, so as to be readily removable for inspection or cleaning.

(d) The operating lever shall have a steel or bronze core through its entire length, but for comfort may have a gripping surface of wood or other suitable material. The lever shall be removable and shall be attached to the pump shaft which is to be square ended, by means of a set screw with 1¼-inch wings, and further shall be connected to the pump body or shaft end by a retaining chain to prevent loss.

(e) The suction line shall be fitted with an intake check valve and a suitable strainer. The strainer shall be removable for cleaning without the use of tools. The suction line shall contain no hose or fittings subject to collapsing when the pump is in service.

(f) Suction and discharge outlets shall be not less than 1 inch inside diameter for pump sizes Nos. 1 and 2, and not less than 1¼ inches inside diameter for pump size No. 3. Discharge outlets shall be provided with a tee of cast bronze or other corrosion-resistant material, with a removable plug at the top for priming, the plug to have a wing arrangement for removal by hand, and be secured to the tee by a retaining chain. The bottom of the tee shall have pipe threads to fit the discharge outlet of the pump, and the discharge portion of the tee shall be a plain clamp type male hose connection, with inside diameter not less than that of the pump discharge opening.

§ 160.044–4 *Inspection and tests*—(a) *General.* Bilge pumps specified by this subpart are not inspected at regularly scheduled factory inspections, but the Commander of the Coast Guard District in which approved pumps are manufactured may detail an inspector at any time to check the facilities, materials and methods, and to conduct such tests as are necessary to satisfy himself that the pumps are being manufactured in compliance with this subpart, and in accordance with the manufacturers' plans and specifications as approved by the Commandant. The manufacturer shall provide a suitable place and the apparatus necessary for the use of the inspector in conducting tests.

(b) *Capacity.* The pump being tested shall be set up over a source of water for operation with all the required fittings and connections, the set-up to simulate an installation in a lifeboat. The pump shall be operated at the standard speed specified for its size, and the flow of water measured. The amount of water discharged shall not be less than that required by § 160.044–2 (b).

(c) *Head pressure.* After the successful completion of the test outlined in paragraph (b) of this section, a pressure gage capable of registering 20 pounds per square inch, and a variable restriction, such as a nozzle, valve, etc., shall be fitted in the discharge line. The pump shall be put in operation with the discharge line open, and then the restriction shall be gradually closed until the pressure builds up to at least 20 pounds per square inch. This pressure shall be maintained for at least 15 seconds, after which the pump shall be disassembled and inspected. No destruction or deformation of parts sufficient to affect the serviceability of the pump shall be permitted as a result of this test.

(d) *Operating lever.* With the pump firmly secured in such a position that both the shaft and operating lever are in a horizontal position, apply a downward load of 200 pounds for a period of 5 minutes at the free end of the operating lever and perpendicular to its axis and the axis of the shaft. There shall be no slippage of the lever around the shaft, nor any evidence of permanent set or undue stress in any part of the pump. In cases where the design of the pump is such that this test may not be applicable to the complete pump, the pump shall be disassembled and the 200-pound load applied to the shaft and operating lever while the free end of the shaft is held in a vise or chuck so that both the shaft and the operating lever are in a horizontal position.

§ 160.044–5 *Marking.* (a) Each pump shall be permanently and legibly marked, in letters not less than ¼ inch high, either cast or stamped on the body, with the name of the manufacturer, the size for which approved (USCG No. 1, 2 or 3), and the Coast Guard approval number. The tee required by § 160.044–3 (f) shall be permanently and legibly marked with the words "PRIME HERE".

§ 160.044–6 *Procedure for approval*—(a) *General.* Bilge pumps for lifeboats on board merchant vessels are approved only by the Commandant, U. S. Coast Guard, Washington, D. C. Correspondence relating to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the pumps are manufactured.

(b) *Manufacturer's plans.* In order to obtain approval, submit detailed plans and specifications, including a complete bill of material, assembly drawing, and parts drawings descriptive of the arrangement and construction of the pump and fittings, to the Commander of the Coast Guard District in which the

factory is located. Each drawing shall have an identifying number, date, and an identification of the item; and the general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers and alteration numbers. At the time of selection of the pre-approval sample, the manufacturer shall furnish the inspector four copies of all plans and specifications, corrected as may have been required, for forwarding to the Commandant. A copy of the approved plans and the certificate of approval shall be kept on file by the manufacturer.

(c) *Pre-approval sample.* After the first drawings and specifications have been examined and found to appear satisfactory, a marine inspector will be detailed to the factory to observe the production facilities and manufacturing methods and to obtain a pre-approval sample, which will be forwarded, prepaid by the manufacturer, to the Commandant for the necessary inspections and tests to determine compliance with this subpart for qualification for type or brand approval for use in lifeboats on board merchant vessels.

PART 163—CONSTRUCTION

A new Part 163 is added to read as follows:

SUBPART 163.001—DOORS, WATERTIGHT, SLIDING (AND DOOR CONTROLS), FOR MERCHANT VESSELS

AUTHORITY: §§ 163.001-1 to 163.001-8 issued under R. S. 4405, 4417, 4426, 4490, 24 Stat. 129, 46 Stat. 888, 49 Stat. 1384, 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 88a, 367, 369, 375, 391, 404, 482, 483, 1333, and 50 U. S. C. 1275.

SUBPART 163.001—DOORS, WATERTIGHT, SLIDING (AND DOOR CONTROLS), FOR MERCHANT VESSELS

§ 163.001-1 *Applicable specifications.* (a) There are no other specifications applicable to this subpart except as noted herein.

§ 163.001-2 *General requirements for sliding watertight doors*—(a) *Applicability.* The requirements of this subpart apply to all new sliding watertight doors to be installed on merchant vessels. Sliding watertight doors approved and in use prior to these specifications may be continued in service as long as in good and serviceable condition.

(b) *Types.* Sliding watertight doors may be either the horizontal sliding type or the vertical sliding type, classed as follows:

(1) *Class 2.* Sliding doors operated both locally and remotely by hand gear.

(2) *Class 3.* Sliding doors operated both locally and remotely by hand and by power.

(c) *Location.* The permitted locations of the several types of watertight doors are contained in Subchapter E—Load Lines of this chapter.

(d) *Basic requirements.* Sliding watertight doors shall be efficiently designed to maintain watertightness within the limits set forth in these specifications. They shall be designed to open and close with ease when operated with the required operating gear.

(e) *Alternatives.* The requirements of this subpart shall be complied with unless other arrangements in matters of construction details, design, strength, equivalent in safety and efficiency are approved by the Commandant.

§ 163.001-3 *Construction of sliding watertight doors*—(a) *Material.* The door panel and the door frame shall be made of cast steel and/or fabricated steel unless otherwise specifically approved by the Commandant. Cast doors and frames and welded doors and frames shall be stress relieved before final machine work is done.

(b) *Contact strips.* Brass strips or other acceptable material shall be firmly screwed on the door to form the contact watertight surface of the door and frame. The contact watertight surface of the frame may be the machined parent metal of the frame. Special consideration will be given to other methods of attaching the strips to the door.

(c) *Rigidity.* The door and frame shall be of substantial and rigid construction to insure that the door can be closed under a 10 foot head of water. In locations where hinged doors are permitted, this requirement will not apply.

(d) *Adjustment.* The door shall be so designed that as the watertight joint wears through usage sufficient allowance or adjustment is provided to maintain the original watertight integrity of the door.

(e) *Alignment.* Retaining grooves or aligning strips shall be provided at the top and bottom of horizontal sliding doors and at the sides of vertical sliding doors to maintain the door in alignment when the door is not in the closed position. They should have sufficient strength to hold the door when being closed against a head of water as required in paragraph (c) of this section. Horizontal doors shall be supported on lubricated rollers to maintain alignment and to minimize friction.

(f) *Watertight workmanship.* The contact surfaces of the door and frame shall be finished as necessary to provide a plane surface and a satisfactory joint.

(g) *Door sill design.* The bottom of the door frame shall be so designed that the door is not likely to be prevented from closing properly by lodgements of dirt, coal, etc. A sill plate of $\frac{3}{16}$ inch minimum thickness may be employed to cover the bottom trackway provided it is designed to automatically retract when the door closes. Sill plate hinges shall be designed and located to prevent clogging with dirt.

(h) *Door positions.* The door shall be so designed that, when in the open position, the brass strips required by paragraph (b) of this section will not be exposed. Door stops shall be provided to prevent the door from leaving the track.

(i) *Door frame design.* (1) The door frame shall be continuous on all four sides and shall be designed to have a section moment of inertia (in.^{4}) on each side of not less than the value given by the formula:

$$I = .002\ Hwh^3$$

Where:

"H" equals the head of water in feet from the margin line to the bottom of the door opening, but not less than 20 feet unless the door is to be installed where a hinged door is permissible in which case "H" may be not less than 10 feet.

"w" equals the shorter dimension of the opening in feet, and

"h" equals the longer dimension of the opening in feet.

(2) If the door frame is to be mounted on the bulkhead on a reinforcing member, which acts as a secondary frame and which is continuous around the door opening, the "I" of that member may be included to obtain the required frame "I" value.

(j) *Door frame attachment.* The door frame may be either bolted or welded watertight to the bulkhead. If bolted, a suitable thin heat and fire resistant gasket or suitable compound shall be used between the bulkhead and the frame for watertightness, and the bulkhead plating shall be worked to a plane surface in way of the frame to prevent distortion of the frame when mounting. If welded, precaution shall be exercised in the welding process in order that the door frame is not distorted.

(k) *Door frame extension.* The frame extension for sliding watertight doors shall be made in one continuous piece, or suitable construction shall be employed to insure positive alignment.

(l) *Lubrication.* Means shall be provided for satisfactory lubrication of all parts as necessary for satisfactory operation.

§ 163.001-4 *Manual operating controls for sliding watertight doors*—(a) *Manual control locations.* All sliding watertight doors shall be provided with manual operating controls for opening and closing the door from both sides of the bulkhead adjacent to the door and also for closing the door from a position above the bulkhead deck. The controls adjacent to the door shall generally not be more than 10 feet from the door. The bulkhead deck, for door control purposes, is the first deck above the margin line.

(b) *Basic requirement.* Manual operating equipment shall be designed to close the door at an average rate of not less than 15 inches per minute with an applied manual force of not more than 50 pounds on the rim of handwheel or on hand crank.

(c) *Shafting and gear controls.* Where shafting and gears are used for manual control, the following conditions apply:

(1) *Handwheels.* Handwheels at least 18 inches in diameter shall be provided and permanently attached at each hand operating station in an accessible posi-

tion for operation. In unusual circumstances, other arrangements will be considered by the Commandant. Shafting from the handwheels to the door pinions shall be as direct as possible with as few gears and universals as practicable.

(2) *Gears and universals.* Gears used in the operating controls shall be cut steel or other approved material. Standard forged steel universals and slip joint couplings shall be used to allow for working of the ship or deflection of structure. Universals shall not be used where there is more than 25° change in direction of the shafting. Universals, bearings, and gears shall have suitable provision for lubrication and should be enclosed to retain the lubricant and encased as necessary to prevent entry of foreign matter. Inaccessible bearings, and those in long leads of control shafting, shall be preferably of the antifriction "grease sealed" type, for which no additional means of lubrication will be required. No clutch devices shall be employed in the hand gear mechanism.

(3) *Keys and pins.* All parts transmitting torque shall be keyed or splined. Taper pins may be used only to prevent axial movement.

(4) *Door securing device.* If frictional damping is found insufficient to prevent movement of the door in a seaway or from other external forces, provision shall be made in the design of door or operating gear for the attachment of a spring latch or other approved device for securing the door in the open position. This device shall be released or forced out of engagement automatically, without hampering the closing operation.

(5) *Factor of safety.* In general, the manual control shafting, gears, universals, etc., shall be designed with a factor of safety of 5 based on the ultimate strength of the material in conjunction with a torque of 2,000 pounds-inches at the handwheels. While short shafts, such as gear box stub shafts, may be proportioned in accordance with the foregoing, the longer runs of shafting between the remote manual station and the door shall not be less than 1¼ inches diameter.

(d) *Hydraulic manual controls.* Where a hydraulic system is used for manual control, the following conditions apply:

(1) *Hand pumps.* Hand pumps operated by an all round crank motion shall be provided at each hand operating station in an accessible position for operation. A single hand pump may be provided at the door location if it is arranged so that it can be operated from either side of the bulkhead. The pump or pumps at the door station shall be reversible. The pump at the remote control station may be arranged to close the door only, and the direction of rotation shall be marked. Cranks or handwheels for turning shall be permanently attached, although in unusual circumstances, other arrangements will be considered by the Commandant. No remote pump shall operate more than one door.

(2) *Control valves.* Unless otherwise approved, the action of valves selecting the hydraulic circuits between pumps and operating cylinders or hydraulic motors shall be automatic with the operation of any one or more pumps. The valves or pumps shall be so arranged as to prevent the overhauling of an idle pump as a hydraulic motor, and they shall be so arranged as to hydraulically block the door operator to prevent movement of the door in a seaway.

(3) *Hydraulic systems.* In general the requirements in Subchapter F—Marine Engineering of this chapter shall apply in the selection of materials and scantlings, submittal of plans and diagrams, and in the testing of components and the complete shipboard installation of hydraulic systems for the operation of sliding watertight doors.

(e) *Direction of control rotation.* The handwheels or cranks at the remote stations shall turn in a clockwise direction to close the door.

(f) *Mechanical indicator.* The manual operating station above the bulkhead deck shall be provided with a mechanical indicator to show whether the door is open or closed. This indicator shall be independent of the manual control shafting when the door is fitted with power controls.

(g) *Guards.* Adequate guards shall be provided over moving parts of the control equipment to prevent the possibility of damage or jamming.

§ 163.001-5 *Power operating controls for sliding watertight doors*—(a) *Types of power.* Sliding watertight doors that are required to be power operated in addition to manual operation shall be fitted with the necessary equipment to use electric power, hydraulic power, or any other power supply that is acceptable to the Coast Guard.

(b) *Power control arrangement.* Power operated sliding watertight doors shall be provided with power controls for opening and closing the door from both sides of the bulkhead adjacent to the door and also for closing from a central control station on the bridge. These controls shall be arranged as follows:

(1) *Automatic reclosing.* The door, when opened by the local control after being closed from the central control, shall automatically reclose when the local control is released.

(2) *Prevention of remote operation.* Where means are provided to open doors from the central control, each door shall be arranged so that it can be kept closed by means of local arrangements which shall prevent the door from being opened from the central control.

(3) *Accessibility of local power controls.* The local control handles at each side of the bulkhead shall be so located that they may be held in the open position when a person is passing through the doorway, and shall be at least 48 inches above the deck. The direction of movement of the handles to open and close the door shall be clearly marked.

(4) *Operation.* The sliding watertight doors under power operation shall close at an approximately uniform rate of speed within the limits of one to two inches per second, and the power operator shall be capable of closing horizontal sliding doors in a reasonable length of time against a list of 15 degrees when the potential at the supply source is reduced to 87.5 percent of normal. The capacity of the accumulators or storage batteries shall be sufficient to open all doors twice and close them three times without recharging.

(c) *Central control panel.* The central control panel shall be arranged as follows:

(1) *Simultaneous closing.* Means shall be provided for closing all doors simultaneously. However, when electrically operated doors are energized from the temporary emergency lighting and power system and a large number of doors are involved, means may be provided for operating the doors in sequence, preference in closing being given to doors in the lowest part of the vessel.

(2) *Diagram.* A diagram shall be provided showing the location of each door on the deck or decks with visual indicators for each door to show whether the door is open or closed. A red light shall indicate the door is open and a green light shall indicate that it is closed and both lights shall indicate that it is in an intermediate position.

(d) *Warning sound signal.* Provision shall be made at the door to give warning by sound signal when the door is about to be closed. A minimum time interval of 20 seconds shall be provided between the time of sounding of the warning signal and the time the door reaches the closed position, but in any case the sounding of the warning shall precede the movement of the door into the clear opening in the bulkhead by at least 1 second. The warning sound signal shall be of the electric horn or howler type.

(e) *Hand gear operation with power controls.* Provision shall be made to prevent the hand gear from turning when the door is operated by the power unit. The arrangement shall be such that failure of the power unit or power supply will not prevent the door from being operated manually.

(f) *Construction of power components.* The construction of electrical, hydraulic and pneumatic components used with power operators shall be in accordance with the general requirements of Subchapters D, F, G, H, I or J of this chapter. If the power and hand operating systems are hydraulic, each driving a hydraulic operator at the door common to both, the requirements of § 163.001-4 (d) shall extend, where applicable, to include the power pumping unit. The enclosures for electrical components of the door operators at the door position shall be waterproof. The power unit shall be protected from injury due to a jammed door, excessive electrical current or excessive hydraulic or pneumatic pressure. No clutch devices shall be employed.

(g) *Protection against faults.* Connections shall be such and circuits shall be so protected against overcurrent that a failure in a door circuit shall not be the cause of failure in any other door circuit and that a short circuit or other fault in the alarm and indicator circuit will not result in loss of power for door operation. The connections shall be such that leakage of salt water into the local controller shall not establish a circuit which will cause the door to open.

§ 163.001-6 *Inspection and testing of doors and controls*—(a) *Shop tests and inspection*—(1) *Hydrostatic test.* Each door upon completion shall be subjected to a hydrostatic shop test to determine the strength, rigidity, workmanship and watertightness of the door. Inspectors shall witness each such test; however, in cases where this is impractical and a sufficient number of identical door tests have been witnessed and approved, the manufacturer may conduct the tests on additional doors of that design and certify to the Coast Guard that the test results are in accord with these specifications. However, the inspectors shall make periodic examinations and tests as deemed necessary to insure specification standards.

(2) *Examination.* The inspector shall examine the door and frame for conformance with the approved plans and for the workmanship involved.

(3) *Hydrostatic test set-up.* The door frame shall be mounted in either a vertical or horizontally flat position on a reinforced test plate or slab. A gasket may be used between the door frame and the closing plate for watertightness. Means shall be provided to vent air from the enclosure formed by the door, frame and plate and to supply water, at the required test pressure, to this enclosure. Means shall also be provided for catching and measuring the amount of water which leaks between sealing surfaces of door panel and frame. Except in the case of double seated doors, it will only be necessary to apply pressure to that side of the door which will tend to separate the sealing surfaces.

(4) *Hydrostatic test procedure.* The contact surfaces of the door and frame shall be wiped to remove excess grease and oil. The door shall be closed by operating equipment restricting the amount of closing force to that available from the operating gear to be used in the shipboard installation. The enclosure shall then be completely filled with water, air shall be vented and the test pressure shall be held for at least ten minutes, during which time the leakage rate shall be determined. The test pressure shall not be less than that corresponding to a head of water from the proposed location of the door sill in the vessel to the margin line or 20 feet, whichever is greater, except that the test head may be 10 feet if the door is to be installed where a hinged door is permissible. The measured leakage rate shall not exceed that given by the following formula except that below a 20-foot head pressure 5 gallons per hour is acceptable.

$$\text{Leakage rate (gal./hr.)} = \frac{h^3}{1600} \text{ or } \frac{p^3}{130}$$

where:

h = test head (feet).

p = pressure (lbs./in.^{2}).

(5) *Shop test of operating controls.* One door and frame of each design together with its manual operating equipment and in addition its power control equipment if a class 3 door, shall be mounted on a structure in the shop in a vertical position. The set-up for horizontal sliding doors shall be such that it can be heeled to simulate 15° port and starboard lists. The door shall be listed 15° and the operating equipment tested to demonstrate that the manual controls can close the door against an adverse list and in addition for class 3 doors that electrical and hydraulic operators can close the door under reduced potential as specified in § 163.001-5 (c). The 15° opposite list shall demonstrate that the door will not overhaul and close itself and when closed can be opened manually and by power. These tests for class 3 doors shall also show that the door can be unseated manually after power closing. In lieu of a tilting arrangement, the door may be mounted vertically in a level position and the list may be simulated by leading lines alternately in the closing and in the opening directions, over efficient fairleads to counterweights.

(b) *Installation tests and inspection*—(1) *Bulkhead reinforcement.* Before the sliding watertight door is installed in a vessel, the bulkhead in the vicinity of the door opening shall be stiffened in accordance with plans previously submitted by the shipyard or naval architect and approved by the Coast Guard. Such bulkhead stiffeners shall not be less than 6 inches nor more than 12 inches from the door frame in order that an unstiffened diaphragm of bulkhead plating 6 to 12 inches wide is provided completely around the door frame. Where such limits cannot be maintained, special consideration will be given to the particular installation. In determining the scantlings of these bulkhead stiffeners, the door frame should not be considered as contributing to the strength of the bulkhead. Provision shall also be made to adequately support the thrust bearings and other equipment that may be mounted on the bulkhead or deck.

(2) *Manual control installation test.* After the door and controls have been installed, the door shall be closed and opened by means of the manual controls at the door and shall be closed by the manual remote control. The time and effort required to close the door shall be within the limitations prescribed in § 163.001-4 (b).

(3) *Power control installation test.* If power controls are provided, the door shall be operated by the power controls from each of the three control stations. The rate of closing shall be as prescribed in § 163.001-5 (b) (4). Manual controls shall also be operated to show that closure by power will not jam the door so as to prevent manual opening.

(4) *Mechanical indicator operation.* The door indicator at the remote manual control station shall correctly show the position of the door when either manual or power operation is employed.

(5) *Test for tightness.* The door sealing strips shall be examined insofar as possible without dismantling the door, and any surface blemishes shall be corrected by stoning or draw-filing. The door shall then be closed and the degree of contact between the door and frame shall be such as to reject the insertion of a 0.003 inch feeler gage, or its clear passage through and between the sealing surfaces, at any point around the sealing perimeter.

§ 163.001-7 *Name plate and marking*—(a) *Watertight door name plate.* A substantial corrosion resistant nameplate shall be permanently attached to each watertight door on which is stamped the name of the manufacturer, manufacturer's symbol and/or serial number, type designation, test head, together with the inspector's initials, the date and the letters "U. S. C. G."

(b) *Markings.* Shipboard markings for watertight doors and operating controls shall be in accordance with the applicable requirements of Subchapters G, H, I, or J of this chapter.

§ 163.001-8 *Procedure for approval of doors and controls*—(a) *Plan submittal.* Before action is taken on any design of sliding watertight doors and operating equipment, detailed plans covering fully the arrangement and construction of the door and construction of the control equipment shall be submitted to the Commandant through the Commander of the Coast Guard District in which the door and control equipment is to be manufactured.

(b) *Supervision of construction.* If such drawings are satisfactory, the manufacturer shall advise the Commander of the Coast Guard District when fabrication is to commence. Supervision of the construction will then be made in accordance with the plans. The inspector will conduct the required tests and upon satisfactory completion will stamp the name plate as provided in § 163.001-7 (a).

(c) *Corrected plans.* When the tests required by § 163.001-6 (a) (1)-(5) are successfully completed, the manufacturer shall submit four corrected copies of the construction and arrangement plans including any corrections, changes, or additions which may have been found necessary during the construction or testing. If the manufacturer desires more than one set of approved plans, additional copies shall be submitted at that time. On subsequent doors and controls where plans covering the complete unit have previously been approved, it may not be necessary to resubmit the plans, although all tests required by the specifications shall be conducted.

(d) *Installation plans.* For each installation on shipboard, plans shall be submitted to the Coast Guard for approval showing specific location and arrangement of the door and controls in the vessel together with a complete bill of material. In addition, plans showing bulkhead reinforcement in way of watertight door openings shall be submitted.

Dated: February 1, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51-1897; Filed, Feb. 5, 1951; 8:56 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 925]

[Docket No. AO-226]

HANDLING OF MILK IN PUGET SOUND, WASH. MARKETING AREA

NOTICE OF CORRECTION OF RECOMMENDED DECISION

Notice is hereby given that the recommended order contained in the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture with respect to a proposed marketing agreement and order regulating the handling of milk in the Puget Sound, Washington, marketing area, as published in the FEDERAL REGISTER on February 1, 1951 (16 F. R. 935; F. R. Doc. 51-1587) is hereby corrected by deleting therefrom the entire paragraph designated "(b)" of § 925.81 and consisting of the last three lines in Column 2 and the first seven lines in Column 3, all on page 950 of such issue of the FEDERAL REGISTER.

Filed at Washington, D. C., this 2d day of February 1951.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 51-1966; Filed, Feb. 5, 1951; 11:38 a. m.]

ATOMIC ENERGY COMMISSION

[10 CFR, Part 30]

RADIOISOTOPE DISTRIBUTION

NOTICE OF PROPOSED RULE MAKING

Pursuant to the Atomic Energy Act of 1946 (Pub. Law 585, 79th Cong.; 60 Stat. 755 ff) and to section 4 (a) of the Administrative Procedure Act of 1946 (Pub. Law 404, 79th Cong.), notice is hereby given of intention to issue regulations concerning the distribution of radioisotopes. The proposed regulations are set forth hereunder.

Interested persons are hereby given an opportunity to submit their views and other relevant information with respect to the proposed regulations in writing to the United States Atomic Energy Commission, Post Office Box E, Oak Ridge, Tennessee, Attention: Isotopes Division, within thirty (30) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Dated at Washington, D. C., this 30th day of January 1951.

M. W. BOYER,
General Manager.

PART 30—RADIOISOTOPE DISTRIBUTION

GENERAL PROVISIONS

§ 30.1 *Scope.* The regulations in this part establish instructions and standards governing the procurement, delivery, possession, use, transfer (including export), and disposal of radioisotopes (a) originating in or procured from the facilities of the Commission or of a distributor, or (b) originating in domestic facilities not owned by the Commission, but distributed by or through the Commission or a distributor, or (c) originating in any foreign nuclear reactor for shipment into the United States. The regulations in this part do not apply to source and fissionable materials as defined herein, or to any radioactive material not covered by the immediately preceding sentence.

§ 30.2 *Definitions.* As used in this part:

(a) *Commission.* "Commission" means the United States Atomic Energy Commission created by the Atomic Energy Act of 1946, or its duly authorized representative.

(b) *Distributor.* "Distributor" means any person to the extent that such person is engaged in operating Commission-owned laboratories, plants, or other facilities under a contract with the Commission and is engaged in the distribution of radioisotopes for the Commission.

(c) *Fissionable material.* "Fissionable material" means fissionable material as defined in section 5 (a) (1) of the Atomic Energy Act of 1946 and in the regulations contained in Part 70, Definition of Fissionable Material.

(d) *One millicurie.* "One millicurie" means that amount of radioactive material which disintegrates at the rate of 37 million atoms per second.

(e) *Person.* "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, the United States or any agency thereof, any government other than the United States, any political subdivision of any such government, and any legal successor, representative, agent, or agency of the foregoing, or other entity, but shall not include the Commission or officers or employees of the Commission in the exercise of duly authorized functions.

(f) *Radioisotope.* "Radioisotope" means any radioactive material yielded in or made radioactive by exposure to the radiation incident to the processes of producing or utilizing fissionable material. "Radioisotope" also means any other radioactive material.

(g) *Roentgen.* "Roentgen" (=r) means that quantity of X or gamma radiation such that the associated corpuscular emission per 0.001293 gram of air produces, in air, ions carrying 1 electrostatic unit of electricity of either sign.

(h) *Roentgen-equivalent-man.* "Roentgen-equivalent-man" (=rem) means that quantity of radiation that when absorbed by mammalian tissue produces an effect equivalent to the absorption by this tissue of one roentgen of X or gamma radiation.

(i) *Roentgen-equivalent-physical.* "Roentgen-equivalent-physical" (=rep) means that dose of ionizing radiation that is capable of producing energy absorption of 93 ergs per gram of tissue.

(j) *Service irradiation.* "Service irradiation" means the exposure of materials of any kind to radiation in accordance with instructions and at the request of some person.

(k) *Source material.* "Source material" means source material as defined in section 5 (b) (1) of the Atomic Energy Act of 1946 and in the regulations contained in Part 40, Control of Source Material.

§ 30.3 *Amendment.* Nothing in this part shall limit the authority of the Commission to issue or amend its regulations in accordance with law.

§ 30.4 *Communications.* All communications about the regulations in this part or any authorization issued under them should be addressed to the United States Atomic Energy Commission, Post Office Box E, Oak Ridge, Tennessee, Attention: Isotopes Division.

EXEMPTIONS

§ 30.10 *Persons operating Commission-owned facilities.* (a) Except as provided in paragraph (b) of this section, the regulations in this part do not apply to persons to the extent that such persons operate Commission-owned facilities in carrying out programs on behalf of the Commission. In such cases, the acquisition, transfer, use, and dis-

posal of radioisotopes are governed by the contracts between such persons and the Commission, and internal bulletins, instructions and directives issued by the Commission.

(b) Radioisotopes received by any person pursuant to an authorization under § 30.30 may be transferred to persons operating Commission-owned facilities only in accordance with an authorization from the Commission or as otherwise permitted by the regulations in this part.

§ 30.11 *Transfer to the Commission or a distributor.* The actions of any person in transferring or delivering radioisotopes to the Commission or to a distributor are not subject to the regulations in this part. The exemption provided in this section does not, however, relieve any person from the obligation to comply with shipping requirements otherwise provided by law. (See § 30.41.)

§ 30.12 *Carriers.* Common and contract carriers transporting radioisotopes in the normal course of business are exempt from the regulations in this part.

§ 30.13 *Items and quantities.* Sections 30.20 through 30.61, inclusive, do not apply to any item listed in § 30.70 (Schedule A), nor to any quantity listed in § 30.71 (Schedule B): *Provided, however,* That no person shall, except as otherwise permitted by the regulations contained in this part, effect an increase in the radioactivity of such scheduled items or quantities by adding other radioactive material thereto, by combining the radioisotopes from two or more such items or quantities, or by altering them in any other manner so as to increase thereby the rate of radiation exposure of himself or others above the original rate therefrom.

APPLICATIONS

§ 30.20 *Filing.* (a) Any person, except the official representative of a foreign applicant, who desires to possess or use radioisotopes shall file "Application for Radioisotope Procurement," Form AEC-313, with the Isotopes Division of the Commission, or such other place as may be designated by the Commission, specifying the use to be made of the material and giving all other information called for by the form. Copies of the form will be furnished upon request to the United States Atomic Energy Commission, Post Office Box E, Oak Ridge, Tennessee, Attention: Isotopes Division.

(b) Applications for radioisotopes to be used in a foreign country shall be submitted through that country's official representative in charge of isotope procurement. Upon request, foreign representatives will be informed by the Commission of the desired form and content of applications and the terms and conditions upon which radioisotopes may be obtained.

§ 30.21 *Conditions.* The Commission will not approve a domestic application:

(a) Unless the radioisotope is requested for one or more of the following purposes: Research or development activity, medical therapy, industrial uses, processing or making of compounds, or such other useful applications as may be developed; or

(b) If it is determined by the Commission that the applicant is not equipped to observe the health and safety standards established by the Commission; or

(c) If it is determined by the Commission that the applicant is not qualified to use radioisotopes for the requested purpose.

§ 30.22 *Service irradiations.* Upon receipt of an application requesting that radioisotopes be produced through a service irradiation, the Commission may authorize such irradiation and subsequent possession and use of the irradiated materials in accordance with the regulations contained in this part.

AUTHORIZATIONS

§ 30.30 *Issuance.* Upon approval of an application, the Commission will issue an "Authorization for Radioisotope Procurement," Form AEC-374. The authorization shall be the only valid approval for procurement, and its issuance shall be based upon the representations in the application and shall be subject to and in accordance with the regulations in this part and the terms and conditions stated in the application.

§ 30.31 *Nontransferability.* The person to whom an authorization has been issued shall be deemed the holder thereof, and none of the rights or privileges conferred by the authorization shall be transferable.

§ 30.32 *Expiration.* An authorization shall be valid only for the period stated thereon; it shall expire at the end of such period without the necessity of notice or warning from the Commission. The holder shall not order radioisotopes after the period of validity stated on the authorization has run.

§ 30.33 *Modification.* Upon written request from the holder of an authorization for a modification of its terms, the Commission will usually consider the request without requiring a separate application, and it may modify the authorization by giving written notice to the holder or by issuing a supplemental authorization.

§ 30.34 *Revocation.* Any authorization may be annulled, suspended, or revoked at any time in the discretion of the Commission upon a determination by the Commission that the public health or safety requires such action, or that the holder has wilfully failed to comply with any term or condition to which his authorization may be subject. In the absence of such determination, no annulment, suspension, or revocation of any authorization will be made except upon request of the holder thereof, or unless conduct or other facts meriting such action shall have been called to the attention of the holder previously in writing, and unless he shall have been accorded opportunity to comply with all lawful requirements but shall have failed to do so.

POSSESSION, TRANSFER, USE

§ 30.40 *Limitations.* No person shall possess, use, or transfer radioisotopes except as permitted by a valid authorization from the Commission or as otherwise permitted by the regulations in this part. When transferring any nonexempt items or quantities of radioisotopes, the transferor shall limit delivery to the locations, materials, and quantities stated in the transferee's authorization.

§ 30.41 *Authorized use.* Each person authorized by the Commission to use radioisotopes shall confine his use to the locations and purposes approved by the Commission on his authorization, and such use is subject to all applicable laws, regulations of the Commission, and terms and conditions stated in the application for such material.

NOTE: Shipment and use of radioisotopes may also be subject to control by other authority; see, for example, (a) Federal Food, Drug, and Cosmetic Act and the general regulations for its enforcement, (b) rules and regulations of the Interstate Commerce Commission, (c) Civil Air Regulations, (d) postal laws and regulations, and (e) laws and regulations of State or other local authority.

RECORDS, REPORTS, INSPECTIONS

§ 30.50 *General records.* Each person who possesses or uses radioisotopes shall keep permanent records showing the receipt, use, storage, delivery, and disposal of such radioisotopes, and the safety measures used to protect health. These records shall be accurate and complete and shall be made available to the Commission upon request.

§ 30.51 *Overexposure records.* No report of the overexposure of a person to radioisotopes need be forwarded to the Commission, but where an overexposure is believed to have occurred, the occurrence and its observed effect upon the overexposed person shall be recorded in detail and filed with the general records.

§ 30.52 *Reports of use.* Upon written request from the Commission, any person who uses radioisotopes shall report fully the use made, stating substantially those facts required by §§ 30.50 and 30.51 to be recorded.

§ 30.53 *Reports of transfer.* In the absence of written waiver by the Commission, any person who transfers radioisotopes to another person shall promptly report to the Commission each delivery made, indicating the name and location of the transferee, transferee's authorization number, type and amount of material transferred, and date of delivery.

§ 30.54 *Inspections.* Each person who possesses or uses radioisotopes shall permit the Commission, at all reasonable times, to make such inspections of the facilities wherein materials are stored or used as the Commission deems necessary, and shall make available to the Commission the records required by §§ 30.50 and 30.51.

VIOLATIONS

§ 30.50 *Right to recall.* The Commission may withhold or recall radioisotopes from any person when it is determined by the Commission that such person (a) is not equipped to observe the health and safety standards established by the Commission, or has failed to do so; or (b) has used the material in a manner other than as disclosed in the application therefor; or (c) has used the mate-

rial in violation of any law or of any regulation of the Commission.

§ 30.61 *Other action.* Any person who violates any provision of the regulations in this part, or who, in connection with the regulations in this part, wilfully conceals a material fact or furnishes false information to the Commission, may be prohibited by the Commission from making or obtaining further deliveries of radioisotopes or using, possessing, or storing them, and may be required to return to the Commission all radioisotopes remaining on hand. Violation of the regulations contained in this part or the furnishing of false information in connection with applications, statements and reports thereunder may also be a crime under the provision of the Atomic Energy Act of 1946 or of 18 U. S. C. sec. 1001, act of June 25, 1948, 62 Stat. 749.

SCHEDULES

§ 30.70 *Schedule A: Exempt items.* (See § 30.13.) None.

§ 30.71 *Schedule B: Exempt quantities.* (See § 30.13.)

(a) *Alpha emitters.* None.

(b) *Beta and Gamma emitters.* Not more than a combined total of 0.011 millicurie, made up as follows:

(1) Half-lives no greater than 30 days: Not more than 0.010 millicurie.

(2) Half-lives greater than 30 days: Not more than 0.001 millicurie.

(c) *Neutron emitters.* None.

NOTE: The quantities listed in Schedule B are not to be interpreted or considered as having any bearing on the determination of safe permissible levels of personnel exposure or for waste disposal. It is the Commission's intention to publish at a later date and incorporate in this part appropriate health and safety standards.

[F. R. Doc. 51-1789; Filed, Feb. 5, 1951; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52661]

CALIFORNIA OIL CO.

REGISTRATION OF HOUSE FLAG AND FUNNEL MARK

FEBRUARY 1, 1951.

The Commissioner of Customs, by virtue of the authority vested in him by section 7 of the act of May 28, 1908 (46 U. S. C., 49), as modified by section 102, Reorganization Plan No. 3 of 1946 (11 F. R. 7875, 3 CFR, 1946 Supp., 60 Stat. 1097), and in accordance with § 3.81 (a), Customs Regulations of 1943 (19 CFR 3.81 (a)), has registered the house flag and funnel mark of the California Oil Company described below:

(a) *House flag.* The house flag is rectangular in shape and red in color having superimposed thereon in white, Gothic, capital letters the word "CALSO" centered horizontally on the flag, the letter "L" being somewhat taller than the other letters. The proportionate dimensions are as follows: Hoist, 1.0; fly, 1.5; height of letter "L," 0.68; height of all other letters, 0.49; thickness of strokes of letters, 0.075; over-all length of the word "CALSO," 1.15; and distance from the lower edge of the flag to the bottom of the letters, 0.212.

(b) *Funnel mark.* The funnel mark is to appear on either side of a black stack, centered in a fore-and-aft direction and consists of a white circle upon which there is superimposed a somewhat smaller red circle or disk in which is printed in white, Gothic, capital letters the word "CALSO" so arranged as to be horizontal when the vessel is in fore-and-aft trim, the letter "L" being somewhat taller than the other letters. The horizontal center-line of the other letters passes through the center of the red circle. The proportionate dimensions are as follows: Diameter of funnel, 1.0; distance from top of funnel at the center-line to uppermost point of white circle, 0.23; diameter of white circle, 0.75; diameter of red circle or disk, 0.639; over-all length of the word "CALSO," 0.56; height of the letter "L," 0.375; height of other letters, 0.246; and width of strokes of letters, 0.437.

Colored scale replica drawings of the house flag and of the funnel marks described above are on file with the Division of the Federal Register.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 51-1822; Filed, Feb. 5, 1951; 8:50 a. m.]

POST OFFICE DEPARTMENT

[Order 45233]

TEMPORARY MAIL SERVICE RESTRICTIONS

On February 1, 1951, under authority of R. S. 161, 396, 3974, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 492, Order No 45233, reading as follows, was issued by the Postmaster General:

Tie up of railroad switching at various points throughout the country makes it imperative that certain mail service restrictions be imposed.

Restricted categories of mail will consist of second-class (except daily newspapers), and all third- and fourth-class matter, and matter of the first-class exceeding eight ounces in weight. Restrictions will not apply to medicine, drugs, surgical instruments and surgical dressings.

Effective at once no mail matter of the restricted categories will be accepted for mailing in Chicago, Illinois; Saint Louis, Missouri; Washington, D. C.; Philadelphia, Pennsylvania; Trenton, New Jersey; Jacksonville, Florida; New York, New York; Atlanta, Georgia; Cleveland, Ohio; or Baltimore, Maryland, except that mail of any class and weight may be accepted for local delivery at those offices, including delivery by rural routes and star routes. The restrictions as to acceptance of mail matter at the offices named in this paragraph also apply to post offices in cities and towns adjoining the cities named.

No other post offices will accept mail of the restricted categories addressed for delivery at any of the post offices named in the preceding paragraph.

Post Offices located in the States of Florida and Illinois will not accept mail of the restricted categories addressed for delivery to any post office not located in their respective states. Post offices located in other states will not accept mail of the restricted categories addressed for delivery at any post offices located in the States of Florida or Illinois.

Post Offices located in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, New York, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, Indiana, or Michigan will not accept matter of the restricted categories for delivery within any state not mentioned in this paragraph.

Post Offices located in states west of the Mississippi River and in the States of Wisconsin and Minnesota will not accept matter of the restricted categories addressed for delivery in any state named in the preceding paragraph.

Post Offices located south of the Ohio and Potomac Rivers will not accept mail of the restricted categories addressed for delivery in the States of Indiana, Ohio, Michigan, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, or Maine.

No restrictions apply to mail for local delivery (including rural routes, star routes and highway post offices) to air mail or air parcel post, or to mails originating at and destined for delivery at points between which it is known that no interference with transportation exists.

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-1894; Filed, Feb. 2, 1951; 2:09 p. m.]

[Order 45254]

TEMPORARY MAIL SERVICE RESTRICTIONS

On February 3, 1951, under authority of R. S. 161, 396, 3974, sections 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 492, Order No. 45254, reading as follows, was issued by the Postmaster General:

In view of the widespread disruption of train service due to the switching tie up, which has spread to so many railroads and cities, it has become necessary to extend mail service restrictions.

Restricted categories of mail will consist of second-class (except daily newspapers), all third- and fourth-class

matter, matter of the first class exceeding eight ounces in weight, and air parcel post exceeding two pounds in weight. Restrictions will not apply to medicine, drugs, serums, laboratory specimens, artificial limbs, dentures, eyeglasses, surgical instruments, surgical dressings, or to money shipments by banks.

Effective immediately all post offices will discontinue acceptance of any mail matter of the restricted categories, except that no restrictions apply to mail for local delivery (including rural routes, star routes and highway post offices), or to mail originating at and destined for delivery at nearby points on local lines between which it is known that no interference with transportation exists.

This order supersedes Order 45233 (*supra*) of February 1, 1951.

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-1959; Filed, Feb. 5, 1951; 11:22 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 54328]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JANUARY 31, 1951.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec 315g), the following-described lands has been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN

T. 2 S., R. 8 E.,
Sec. 15, SW¼NW¼.
T. 6 S., R. 23 E.,
Sec. 16, all;
Sec. 29, N½NW¼.
T. 7 S., R. 28 E.,
Sec. 32, SE¼SW¼.
T. 9 S., R. 27 E.,
Sec. 3, E½NE¼;
Sec. 13, NE¼SE¼;
Sec. 36, NW¼ and W½SW¼.
T. 13 S., R. 30 E.,
Sec. 6, lots 1, 2, and 3.
T. 20 S., R. 21 E.,
Sec. 32, all.
T. 21 S., R. 20 E.,
Secs. 1 and 2;
Sec. 4, lot 3;
Sec. 10, E½NE¼.
T. 21 S., R. 21 E.,
Sec. 4, N½, N½S½, and SW¼SW¼;
Secs. 8, 9, and 10, all.
T. 11 N., R. 16 W.,
Secs. 3, 7, 9, 15, 17, and 19, all.
T. 14 N., R. 14 W.,
Secs. 9 and 15, all.

The areas described aggregate 11,029.50 acres.

The lands are primarily suitable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Phoenix, Arizona.

WILLIAM ZIMMERMAN, Jr.,
Assistant Director.

[F. R. Doc. 51-1798; Filed, Feb. 5, 1951; 8:47 a. m.]

[1606431]

CALIFORNIA

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 31, 1951.

Notice is given that the plat of original survey of the following described lands, accepted May 20, 1942, will be officially filed in the Land Office, Sacramento, California, effective at 10:00 a. m. on the 35th day after the date of this notice:

SAN BERNARDINO MERIDIAN

T. 15½ N., R. 14 E.,
Sec. 19, Lots 1, 2, 3, 4, 5, SE¼;
Sec. 20, Lots 1, 2, 3, 4, S½;
Sec. 21, Lots 1, 2, 3, 4, S½;
Sec. 22, Lots 1, 2, 3, 4, S½;
Sec. 23, Lots 1, 2, 3, 4, S½;
Sec. 24, Lots 1, 2, 3, 4, S½;
All of Secs. 25, 26, 27, 28, 29;
Sec. 30, Lots 1, 2, 3, 4, E½;
Sec. 31, Lots 1, 2, 3, 4, E½;
All of Secs. 32, 33, 34, 35, 36.

The areas described aggregate 9,794.31 acres.

Available data indicate that the described land is generally rolling to rough and rocky.

No application for these lands may be allowed under the homestead, desert land, small tract, or any other nonmineral public land laws unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

According to the field notes and as shown by the plat there is a spring of water on the section line between sections 19 and 20.

The legal subdivision containing a spring and the lands within a quarter of a mile of each spring may be affected by the general withdrawal made by Executive Order of April 17, 1926 (43 CFR 292.1), creating Public Water Reserve No. 107, but the question of whether the spring is of such size or value or so needed by the public as to bring the lands within the scope of the withdrawal, is left for future determination.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

WILLIAM ZIMMERMAN, Jr.,
Assistant Director.

[F. R. Doc. 51-1799; Filed, Feb. 5, 1951; 8:47 a. m.]

[1817686]

IDAHO

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 31, 1951.

Notice is given that the plats of original surveys of the following described lands, accepted July 7, 1948, will be officially filed in the Land and Survey Office, Boise, Idaho, effective at 10:00 a. m. on the 35th day after the date of this notice:

BOISE MERIDIAN

T. 21 N., R. 19 E.,
All of secs. 1, 2, 3, 4;
All of secs. 9 to 16 inclusive;
All of secs. 21 to 28 inclusive;
All of secs. 33, 34, 35, 36.
T. 21 N., R. 21 E.,
All of secs. 3 to 10 inclusive;
All of secs. 15 to 22 inclusive;
All of secs. 27 to 34 inclusive.

The areas described, exclusive of segregations, aggregate 30,665.54 acres.

All of the lands described are within the exterior boundaries of the Salmon National Forest, by proclamations of November 5, 1906, May 19, 1913, and Executive order of July 1, 1908.

Parts of secs. 12, 13, 14, 15, 16, 21, 22, 23, 27, 28, 33, 34, T. 21 N., R. 19 E., were withdrawn on December 19, 1923, by the Secretary of the Interior and placed in Power Site Classification No. 280.

Anyone having a valid settlement or other right to any of these lands initiated prior to the dates of the withdrawals of the lands should assert the same within three months from the date on which the plats are officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Manager, Land and Survey Office, Boise, Idaho.

WILLIAM ZIMMERMAN, Jr.,
Assistant Director.

[F. R. Doc. 51-1800; Filed, Feb. 5, 1951; 8:48 a. m.]

[35560]

NEVADA

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 31, 1951.

Notice is given that the plat of original survey of the following described lands, accepted February 24, 1949, will be officially filed in the Land and Survey Office, Reno, Nevada, effective at 10:00 a. m. on the 35th day after the date of this notice:

MOUNT DIABLO MERIDIAN

T. 11 N., R. 59 E.,
Secs. 1 to 36, inclusive.

The area described exclusive of segregations aggregates 22,773.82 acres.

All of the above-described lands were withdrawn by proclamation of February 10, 1909, and placed in the Nevada National Forest.

In view thereof, the lands described will not be subject to disposition under the general public land laws by reason of the official filing of this plat.

WILLIAM ZIMMERMAN, JR.,
Assistant Director.

[F. R. Doc. 51-1801; Filed, Feb. 5, 1951; 8:48 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF THE CONTINENTAL U. S. A. GULF WESTBOUND FREIGHT CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 6150-3, between the member lines of the Continental U. S. A. Gulf Westbound Freight Conference, amends the basic agreement of said conference (No. 6150) to include a new article covering breach of the agreement. Agreement No. 6150, as amended, covers the trade from ports in Continental Europe between Bayonne, France, and Hamburg, Germany, both inclusive, to the United States Gulf ports between Tampa and Brownsville, both inclusive.

Agreement No. 6120-4, between the member lines of the United States Atlantic & Gulf-Puerto Rico Conference, amends the basic agreement of said conference (No. 6120) to provide that decisions of the conference, except as to modifications of the basic agreement and expulsion of members, shall be arrived at by a majority vote of the members, instead of by unanimous vote as presently provided. The basic agreement, which covers the trades between U. S. Atlantic and Gulf ports and ports in Puerto Rico and between ports in Puerto Rico, will continue to require the unanimous vote of all members (except the member involved) on expulsions.

Agreement No. 5200-L, between the member lines of the Pacific Coast European Conference, provides for the suspension of the sailing and spacing requirements as set forth in the first paragraph of Article 4 of the basic agreement of said conference and for the waiver of penalty assessments which might otherwise be applicable thereunder for the first six months of the year 1951. The basic agreement of the aforesaid conference (No. 5200, as amended) covers the trades from the Pacific Coast of the United States to Great Britain,

Northern Ireland, Irish Free State, Continental, Baltic and Scandinavian ports and to base ports in the Mediterranean Sea and to transhipment ports in the Mediterranean Sea, Adriatic Sea, Black Sea, West, South and East Africa, British India and Iraq.

Agreement No. 57-33, between the member lines of the Pacific Westbound Conference, covers admission of Ellerman and Bucknall Associated Lines to associate membership in the aforesaid conference. As an associate member the Ellerman and Bucknall Associated Lines will have no vote in conference affairs, but will be permitted to participate in conference contracts with shippers, and will be exempted from posting of the usual surety bond. This agreement has been filed to supersede and cancel associate membership agreement of Ellerman & Bucknall Steamship Co., Limited (Agreement No. 57-8). The basic agreement of the Pacific Westbound Conference (No. 57, as amended) covers the trades from or via the Pacific Coast ports of North America to Japan, Formosa, Siberia, Manchuria, China, Hong Kong, Indo-China, Siam and the Philippine Islands.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: February 1, 1951.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-1855; Filed, Feb. 5, 1951; 8:58 a. m.]

Office of the Secretary

APPEALS IN TRADE-MARK CASES

AMENDMENT OF ORDER

The order issued September 25, 1950, published September 28, 1950 (15 F. R. 6554), authorizing members of the Board of Appeals of the United States Patent Office to hear and decide appeals in trade-mark cases in the Patent Office is amended by striking out the words "provided by section 20 of the Trade-Mark Act of 1946 (15 U. S. C. 1070)" and inserting in lieu thereof "in trade-mark cases."

(R. S. 161; 5 U. S. C. 22. Reorg. Plan 5 of 1950, 15 F. R. 3174)

Issued January 30, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-1785; Filed, Feb. 5, 1951; 8:45 a. m.]

COMPLIANCE COMMISSIONER FOR EXPORT CONTROL

DELEGATION OF AUTHORITY BY DIRECTOR OR DEPUTY DIRECTOR OF OFFICE OF INTERNATIONAL TRADE RELATING TO EXPORT CONTROL

The delegation of authority previously made by me with respect to the Compliance Commissioner for Export Control (15 F. R. 3597, 6833) is amended as follows:

Any employee or officer designated to act as a Compliance Commissioner for Export Control by the Director or Deputy Director of the Office of International Trade is hereby authorized, in any proceeding for the denial of licensing privileges under the Export Control Act of 1949, (1) to administer oaths and affirmations, and (2) to sign and issue subpoenas requiring any person to appear and testify or to appear and produce books, records, and other writings or both.

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

Dated: January 30, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-1785; Filed, Feb. 5, 1951; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that Special Certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 216; as amended 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR, Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR, 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

The National Society of Volunteers of America, 69 Henry Street, Binghamton, New York; at a wage rate of not less than the piece rate non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 30 cents per hour, whichever is higher; certificate is effective February 1, 1951 and expires December 31, 1951.

Goodwill Home and Rescue Mission, 42-44 Eagles Street, Newark, New Jersey; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher; certificate is effective February 1, 1951 and expires December 31, 1951.

Baltimore Goodwill Industries, 201 South Broadway, Baltimore, Maryland; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher; certificate is effective January 17, 1951 and expires December 31, 1951.

Philadelphia Branch Pennsylvania Association for the Blind, 1221 Race Street, Philadelphia, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 70 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 19, 1951, and expires December 31, 1951.

Upper Susquehanna Branch Pennsylvania Association for the Blind, 1246 Vine Avenue, Williamsport, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective February 1, 1951, and expires January 31, 1952.

Evansville Goodwill Industries, Inc., 18 Locust Street, Evansville 8, Indiana; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher; certificate is effective February 1, 1951, and expires January 31, 1952.

Indianapolis Goodwill Industries, Inc., 215 South Senate Avenue, Indianapolis, Indiana; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 30 cents for each new client during his initial 4-week evaluation period in the workshop: certificate is effective February 1, 1951, and expires January 31, 1952.

St. Joseph County Goodwill Industries, Inc., 316 Chapin Street, South Bend 19, Indiana; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation

in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 30 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective February 1, 1951, and expires January 31, 1952.

Goodwill Industries of Minneapolis, 413–417 South Third Street, Minneapolis 15, Minn.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 45 cents per hour, whichever is higher, and a rate of not less than 40 cents for each new client during his initial 4-week evaluation period in the workshop; certificate if effective February 1, 1951, and expires January 31, 1952.

Goodwill Industries of Southern Calif., 342 San Fernando Road, Los Angeles 31, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 65 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

Goodwill Industries of San Bernardino and Riverside Counties, 899 Third Street, San Bernardino, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 65 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

The Volunteers of America, 1637 Market Street, San Diego 2, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 65 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

Society of St. Vincent dePaul, 1815 Mission Street, San Francisco, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 75 cents per hour, whichever is higher, and a rate of not less than 45 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

Goodwill Industries of San Francisco—Santa Cruz Branch, 204 Union Street, Santa Cruz, California; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 60 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

The Volunteers of America, 2801 Lombard Avenue, Everett, Washington; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 75 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

Lighthouse for the Blind, Inc., 131 Elliott West, Seattle 99, Wash.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher; certificate is effective January 25, 1951, and expires January 24, 1952.

Tacoma Goodwill Industries, Inc., 2356 Tacoma Avenue, Tacoma, Wash.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 65 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

The Volunteers of America, 1517 Broadway, Tacoma 2, Washington; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 75 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1951, and expires January 24, 1952.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 25th day of January 1951.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[F. R. Doc. 51-1813; Filed, Feb. 5, 1951; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-227]

INVESTIGATION OF ACCIDENT NEAR REARDON, WASHINGTON

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States registry NC-93054, which occurred near Reardon, Washington, on January 16, 1951.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Wednesday, February 7, 1951, at 9:30 a. m. (local time) in the Davenport Hotel, 807 West Sprague Street, Spokane, Washington.

Dated at Washington, D. C., January 30, 1951.

[SEAL] ROBERT W. CHRISP,
Presiding Officer.

[F. R. Doc. 51-1797; Filed, Feb. 5, 1951; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-5905]

OTTER TAIL POWER CO.

NOTICE OF APPLICATION

JANUARY 31, 1951.

Notice is hereby given that Otter Tail Power Company of Fergus Falls, Minnesota, has filed application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to transmit electric energy in an amount not to exceed 750,000 kilowatt-hours per year at a rate not in excess of 200 kilowatts over its existing transmission line to a point on the international boundary, United States and Canada, for sale and delivery to the Town of Emerson, Canada, which distributes and sells electric energy in that town and vicinity.

The requested authorization would also supersede the authorization heretofore granted in this docket by order dated July 27, 1945.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or

before the 19th day of February 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-1802; Filed, Feb. 5, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25797]

HIDES, PELTS AND SKINS FROM SOUTHERN TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1193 and Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 394.

Commodities involved: Hides, pelts and skins, not dressed or tanned, in carloads.

From: Points in southern territory.

To: Specified points in trunk-line and New England territories.

Grounds for relief: Competition with rail carriers, circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1809; Filed, Feb. 5, 1951; 8:49 a. m.]

[4th Sec. Application 25798]

CAUSTIC SODA FROM BUFFALO, N. Y., TO CINCINNATI, OHIO

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 3098.

Commodities involved: Sodium (soda), caustic (sodium hydroxide), in solution, in tank-car loads.

From: Buffalo, N. Y., and points in New York and Pennsylvania taking same rates.

To: Cincinnati, Ohio.

Grounds for relief: Competition with rail carriers. Market competition.

Schedules filed containing proposed rates: L. C. Schuldt's tariff I. C. C. No. 3098, Supp. 178.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1808; Filed, Feb. 5, 1951; 8:49 a. m.]

[4th Sec. Application 25799]

IRON AND STEEL ARTICLES FROM BIRMINGHAM, ALA., GROUP TO ATLANTA, GA.

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 920.

Commodities involved: Iron and steel articles, and tin and terne plate, carloads.

From: Birmingham, Ala., and points grouped therewith.

To: Atlanta, Ga.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supp. 206.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1807; Filed, Feb. 5, 1951; 8:49 a. m.]

[4th Sec. Application 25800]

RUBBER TIRES FROM WACO, TEX.

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3752.

Commodities involved: Rubber tires, in carloads.

From: Waco, Tex.

To: Kansas City, Mo.-Kans., Memphis, Tenn., St. Louis, Mo., East St. Louis, Ill., and Chicago, Ill., and points taking same rates.

Grounds for relief: Competition with rail and motor carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supp. 542.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1806; Filed, Feb. 5, 1951; 8:48 a. m.]

[4th Sec. Application 25801]

WIRE FABRIC TO TEXAS PORTS

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul

provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3443, 3881, 3880, 3899 and 3932.

Commodities involved: Wire fabric, iron and steel, in carloads.

From: Points in southwestern and western trunk-line territories.

To: Texas and Louisiana gulf ports and interior points.

Grounds for relief: Competition with rail and water carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariffs I. C. C. No. 3899, Supp. 33, No. 3443, Supp. 163, No. 3881, Supp. 22, No. 3880, Supp. 11, and No. 3932, Supp. 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1805; Filed, Feb. 5, 1951; 8:48 a. m.]

[4th Sec. Application 25802]

POULTRY NETTING AND IRON AND STEEL ARTICLES TO GULF PORTS

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3899 and 3932.

Commodities involved: Poultry netting and iron and steel articles.

From: Points in defined territories.

To: Texas and Louisiana gulf ports and interior points.

Grounds for relief: Competition with rail and water carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3899, Supp. 33. D. Q. Marsh's tariff I. C. C. No. 3932, Supp. 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1804; Filed, Feb. 5, 1951; 8:48 a. m.]

[4th Sec. Application 25803]

WOOD CHARCOAL FROM CROSSETT, ARK., TO LOWLAND AND MORRISTOWN, TENN.

APPLICATION FOR RELIEF

FEBRUARY 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3908.

Commodities involved: Wood charcoal, in carloads.

From: Crossett, Ark.

To: Lowland and Morristown, Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3908, Supp. 36.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-1803; Filed, Feb. 5, 1951; 8:48 a. m.]

[Ex Parte No. 177]

INCREASED EXPRESS RATES AND CHARGES, 1951

JANUARY 31, 1951.

By petition dated January 11, 1951, the Railway Express Agency, Incorporated, requests authority to increase and revise its express rates and charges and classification provisions. Appendix I hereto contains the proposals of the agency that are more particularly set out in such petition and the exhibits attached thereto.

This proceeding is set for hearing at the office of the Commission in Washington, D. C., at 9:30 a. m. United States standard time, on March 29, 1951, before examiner S. R. Diamondson.

It is contemplated that regional hearings will be held at Jacksonville, Fla., Dallas, Tex., San Francisco, Calif., and Chicago, Ill., on dates to be announced later.

In appendix II of this notice are the "Special Rules of Practice" for application in this proceeding.

Notice of this hearing and of the special rules of practice will be served upon petitioner, and upon the Governors and regulatory bodies of the several States. Notice will also be given to the general public, by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director of the Division of the Federal Register.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

APPENDIX I

1. *First and second class rates and charges.* (a) Increase all first class rates per 100 pounds by 57 cents; all second class rates per 100 pounds to be 75 percent of the increased first class rates, thereby maintaining the present relationship.

(b) Publish first and second class charges, increased as proposed in 1 (c) below, for weights less than 100 pounds, in 5-pound gradations in the following manner, in lieu of the current specific charges published for each weight 1 to 100 pounds:

5 pounds and under.................

Over 5 pounds but not over 10 pounds..

Over 10 pounds but not over 15 pounds, etc..............................

Thus the charge for 5 pounds will be the charge for all lesser weights, the charge for 10 pounds will be the charge for all weights over 5 pounds and not exceeding 10 pounds, the charge for 15 pounds will be the charge for all weights over 10 pounds and not exceeding 15 pounds, and so on up.

(c) Increase all first class charges currently published for 5 pounds and for multiples of 5 pounds by 57 cents, but no charge to be less than \$2.00; second class charges to be 75 percent of the increased first class charges, but no charge to be less than \$2.00.

(d) First and second class rates increased as proposed herein are to be used in determining carload rates for application to carload shipments subject to class rates.

2. *Commodity rates and charges.* (a) Cancel all less carload commodity rates and charges on articles of food and drink and apply the ratings prescribed in Official Express Classification No. 34, and Supplements thereto.

(b) Increase by 25 per cent, subject to first class rates as maxima, all less carload commodity rates other than those applying on articles of food and drink referred to in 2 (a) above, except those applying on daily newspapers, and milk and cream and related commodities subject to milk and cream rates, the minimum charge to be \$2.00 per shipment.

3. *Classification ratings, rates and charges.* (a) Cancel the rating of "First Class pound rates" on the following items published in

Official Express Classification No. 34, and Supplements thereto, and apply First Class rates and charges increased as proposed herein:

Item No.	Page No.	Applying to—
10-A	11 (Supp. No. 22)	Advertising matter.
1115-C	15 (Supp. No. 22)	Live lobsters.

(b) Increase the third class rate published in Rule 1 (j) of Official Express Classification No. 34, and Supplements thereto, to 1-cent per ounce, minimum charge $2.00 per shipment.

(c) Increase the minimum charges published in Rule 1 (p) and (r) of Official Express Classification No. 34, and Supplements thereto, to $2.00 per shipment.

(d) Increase the valuation charges published in Rule 13 (a), (b) 1 and (b) 2 of Official Express Classification No. 34, and Supplements thereto, from 11 cents to 15 cents and the valuation charges in Rule 13 (b) 4 and (c) by 25 percent.

(e) Increase by 25 percent the specific charges stated in cents per container published on returned empty containers in Official Express Classification No. 34, and Supplements thereto; apply on containers subject to charges based on first or second class rates the proposed increased first or second class rates; a minimum charge of $2.00 to apply on all shipments of returned empty containers.

(f) Increase by 25 percent c. o. d. service charges published in Rule 14 (v) of Official Express Classification No. 34, and Supplements thereto.

(g) Increase by 25 percent all rates and charges in the Money Classification section of Official Express Classification No. 34, and Supplements thereto, except where charges are determined by use of first class rates. Shipments upon which charges are determined by use of first class rates are to be subject to the increased first class rates. Minimum charge in all cases to be $2.00 per shipment.

(h) Increase by 25 percent all other minimum charges published in Official Express Classification No. 34, and Supplements thereto, but no minimum charge to be less than $2.00 per shipment.

4. *International rates and charges to and from points in Canada.* Increase local and joint international rates and charges between points in the United States and points in Canada and revise classification provisions to the same extent as is proposed for application within the United States.

APPENDIX II—SPECIAL RULES OF PRACTICE

Protestants; petitions of intervention unnecessary. Persons appearing in opposition to the petition herein, will be considered as protestants, and may be heard without the filing of petitions of intervention.

Simplification of presentations. In order to conserve time and avoid expense, it is strongly urged that persons finding themselves with common interests in the proceeding shall, to the greatest extent possible, endeavor to consolidate their presentation of testimony, and arrange for cross-examination by as few counsel as possible. The same course should be followed upon oral argument.

Evidence offered should carefully be prepared with a view to conciseness and clarity, and so as to avoid unnecessary extraneous, immaterial, and irrelevant matter, and undue cumulation of testimony or of witnesses upon any point. It should be factual in character, and argument should be reserved for the oral argument stage, and not be incorporated in the testimony.

Exhibits. In the preparation of exhibits, Rules 81 to 84, inclusive, of the general rules of practice should be followed. If possible, all documents submitted by a witness should be embraced in a single exhibit, with pages consecutively numbered, suitably bound together. In order to supply the State Commissioners, members of this Commission, and counsel in the proceeding, at least 150 copies of each exhibit should be prepared. So far as possible, exhibits should be made self-explanatory in order to minimize the amount of time required for explanation by oral testimony.

Prepared statements. Witnesses who expect in the course of their testimony to read from a written statement should comply with Rule 77 of the rules of practice. They should have sufficient copies thereof to supply opposing counsel, the representatives of the State Commissioners, the examiner on the bench, and the official reporter.

Submission of evidence in chief in written form. The evidence in chief to be produced on behalf of the petitioner Railway Express Agency, Inc., shall be submitted in written form, as prepared statements by the respective witnesses, with their accompanying exhibits. Such documents should be made available to the Commission by filing 25 copies on or before March 15, 1951, and a copy should be transmitted as first class mail by petitioner to the regulatory authority of each State having jurisdiction with respect to the intrastate rates and charges of petitioner, and also to each person who shall give notice on or before March 5, 1951, to the Commission and counsel for petitioner of their intention to appear at the hearings as protestants. Such notification to petitioner should be made in writing promptly, addressed to Mr. J. H. Mooers, Care Railway Express Agency, Inc., 230 Park Avenue, New York 17, N. Y.

Notice of intention to produce testimony at the hearings. Persons who desire to be heard will facilitate necessary arrangements by promptly sending notice of their intention by letter or telegram to the Commission at Washington, so as to reach the Commission on or before March 5, 1951, which shall state the number of witnesses, the approximate amount of time considered necessary for presentation of direct testimony, and at which of the above-named cities they desire to be heard.

Correspondence. Correspondence relative to this matter should be addressed to the Secretary of the Interstate Commerce Commission at Washington 25, D. C., with reference to the docket number, Ex Parte No. 177.

[F. R. Doc. 51-1810; Filed, Feb. 5, 1951; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

MATTHEW P. WILSON

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of January 1951.

In the matter of Matthew P. Wilson, 627 Park Avenue, Dunkirk, New York.

I. The Commission's public official files disclose that Matthew P. Wilson, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto, and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1946, 1947, 1948 or 1949 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statements set forth in paragraph II hereof are true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 7th day of March 1951 at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 101, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before February 28, 1951. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to March 7, 1951.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the

[1] Filed as part of the original document.

meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-1816; Filed, Feb. 5, 1951; 8:50 a. m.]

WARREN LEE STERLING CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of January 1951.

In the matter of Warren Lee Sterling, dba W. L. Sterling Company, 114 East 52d Street, New York, New York.

I. The Commission's public official files disclose that Warren Lee Sterling, doing business as W. L. Sterling Company, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1943, 1944, 1945, 1946, 1947, 1948 or 1949 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statements set forth in paragraph II hereof are true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered*, That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 7th day of March 1951 at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 101, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before February 28, 1951. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to March 7, 1951.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-1817; Filed, Feb. 5, 1951; 8:50 a. m.]

[1] Filed as part of the original document.

STEARNS & CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of January 1951.

In the matter of Benjamin E. Stearns, dba Stearns & Co., 926 Exchange St., Rochester, N. Y.

I. The Commission's public official files disclose that Benjamin E. Stearns, doing business as Stearns & Co., hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1943, 1944, 1945, 1946, 1947, 1948 or 1949 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statements set forth in paragraph II hereof are true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered*, That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 7th day of March 1951 at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 101, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before February 28th, 1951. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to March 7th, 1951.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of

the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-1818; Filed, Feb. 5, 1951; 8:50 a. m.]

[File Nos. 54-186, 59-93, 70-1804]

ARKANSAS NATURAL GAS CORP. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of January A. D. 1951.

In the matter of Arkansas Natural Gas Corporation, File No. 54-186; Arkansas Natural Gas Corporation and its subsidiaries, and Cities Service Company, respondents File Nos. 59-93, 70-1804.

I. The Commission on February 9, 1949, entered an order instituting proceedings under sections 11 (b) (2), 12 (f), 15 (a), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 (File No. 59-93) directed to Arkansas Natural Gas Corporation ("Arkansas-Natural"), a registered holding company, and its subsidiaries and Cities Service Company ("Cities"), also a registered holding company and parent company of Arkansas-Natural. The proceedings instituted by said order raised issues, among others, with respect to the corporate structure of Arkansas-Natural and the distribution of voting power among its security holders and with respect to the organization and history of Arkansas-Natural and the relation of Cities thereto. No hearings have been held with respect to the above proceeding. The order instituting these proceedings consolidated them with declarations and applications filed with the Commission by Arkansas-Natural (File No. 70-1804), which have been the subject of limited hearings, in which it was proposed that Arkansas-Natural dispose of its interest in the gas distribution properties of Arkansas Louisiana Gas Company ("Arkansas-Louisiana"), a subsidiary.

II. Notice is hereby given that Arkansas-Natural has filed with the Commission, pursuant to section 11 (e) of the act, a plan stated to be for the simplification of its corporate structure, effectuation of compliance with the requirements of section 11 (b) of the act, and termination of its status as a holding company.

Arkansas-Natural, a Delaware corporation, is primarily a holding company owning, among other investments, all of the common stocks of Arkansas-Louisiana and Arkansas Fuel Oil Company ("Arkansas-Fuel"). Arkansas-Louisiana is engaged in the purchase, production, transmission, distribution, and sale of natural gas in the states of Louisiana, Arkansas, and Texas. Arkansas-Fuel, operating chiefly throughout the southern part of the United States, is engaged in the production, storage, and marketing of petroleum, and in the processing of natural gas.

As at December 31, 1949, Arkansas-Natural's outstanding securities consisted of 2,187,918 shares of 6 percent $10 par value Cumulative Preferred Stock with an aggregate par value of $21,879,180; 4,080,948 shares of no par value Common Stock with a stated value of $4,080,948; and 3,522,271¼ shares of no par value Class A Common Stock with a stated value of $3,522,271.25. Cities owns 870,812 shares (39.8 percent) of the Preferred Stock, 3,057,267 shares (74.96 percent) of the Common Stock, and 857,112.25 shares (24.33 percent) of the Class A Stock.

All interested persons are referred to said Plan which is on file in the offices of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

1. Arkansas-Louisiana will transfer to Arkansas-Fuel all of its interests in leases, gas wells and equipment and field gathering lines in the Carthage Acreage, at net book value ($4,114,270.16 as at December 31, 1949), and Arkansas-Fuel will transfer to Arkansas-Louisiana certain natural gasoline plants at net book value ($4,946,977.25 as at December 31, 1949). Any difference in the respective net book values at the time of transfer is to be adjusted in cash.

2. Arkansas-Natural will transfer to Arkansas-Louisiana its pipeline property, consisting of approximately 51 miles of pipeline, at net book value ($98,948.77 as at December 31, 1949).

3. Arkansas-Natural, which owns $6,500,000 principal amount of Arkansas-Louisiana 4¼ per cent debentures, will surrender said debentures to Arkansas-Louisiana for cancellation, as a donation of capital.

4. Arkansas-Louisiana will issue and sell $27,500,000 principal amount of First Mortgage Bonds and apply the proceeds thereof (a) to the retirement of its outstanding funded debt in the principal amount of $20,125,000, as at November 30, 1949 (b) to the retirement of $3,500,000 principal amount of funded debt incurred and to be incurred in the year 1950, and (c) toward financing its construction program.

5. Arkansas-Fuel will merge into Arkansas-Natural, which will be the surviving corporation.

6. Arkansas-Natural will issue a new series of 3¾ per cent Cumulative Preferred Stock, par value $10, with an aggregate par value of $23,191,130, redeemable at par value, and will distribute said new Preferred Stock to the holders of its old $10 par value Preferred Stock on the basis of $10.60 par value of new Preferred Stock for each share of the old Preferred Stock held. The redemption value of the old Preferred Stock is $10.60 per share. Amounts receivable by holders in excess of multiples of $10 will be represented by the issuance of scrip, which, when combined in $10 amounts will be exchangeable, within a limited period, for shares of the new Preferred Stock. Unpaid dividends on the old Preferred Stock will accrue and will be paid by Arkansas-Natural to the date from which the new Preferred Stock bears dividends.

Holders of old Preferred Stock who notify Arkansas-Natural within the 30-day period immediately following the date fixed for exchange that they desire to dispose of the new Preferred Stock to which they are entitled at a price equal to the par value thereof, will receive $10.60 in cash per share of old Preferred Stock surrendered, together with any unpaid dividends. Arkansas-Natural will obtain funds necessary for this purpose from the sale of the new Preferred Stock to which such holders of the old Preferred Stock would be entitled and, to the extent required, from its other cash resources, and any excess of the net proceeds of such sale over the amount so paid to such holders will be retained by Arkansas-Natural.

7. Arkansas-Louisiana will reclassify its presently outstanding Common Stock into 7,603,219 shares of no par value Common Stock. The new shares will be distributed to the holders of Common and Class A stock of Arkansas-Natural as a dividend in partial liquidation on the basis of one share of common stock of Arkansas-Louisiana for each share of Common or Class A stock of Arkansas-Natural.

8. Arkansas-Natural will amend its charter so as to convert its Class A stock into Common Stock, resulting in a single class of Common Stock to be outstanding.

9. Arkansas-Natural will pay such fees and expenses for services rendered in connection with the plan (except in connection with the refinancing of Arkansas-Louisiana which will be paid by Arkansas-Louisiana) as may be allowed by the Commission.

Arkansas-Natural has requested the Commission, in the event it approves the Plan, to enter an order containing the recitals required by section 1808 (f) and Supplement R of the Internal Revenue Code, as amended, and to apply to an appropriate court to enforce and carry out the terms and provisions of the Plan.

III. The Commission being required by the provisions of section 11 (e) of the act before approving any Plan thereunder to find, after notice and opportunity for hearing, that the Plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11 and is fair and equitable to the persons affected thereby; and it appearing appropriate to the Commission that notice be given and a hearing be held upon the Plan filed by Arkansas-Natural to afford all interested persons an opportunity to be heard with respect thereto; and

It appearing to the Commission that common questions of law and fact are involved in the consolidated proceedings presently pending before the Commission (File Nos. 59-93 and 70-1804) and in the proceeding upon the application filed by Arkansas-Natural pursuant to section 11 (e) of the act (File No. 54-186); that evidence offered in respect of each of said proceedings may have a bearing on the others; and that substantial savings in time, effort, and expense will result if said proceedings are consolidated so that they may be

heard as one matter and so that evidence adduced in each proceeding may be considered as evidence in the others for all purposes;

It is ordered, That the pending consolidated proceedings (File Nos. 59-93 and 70-1804), and the proceeding with respect to the instant plan (File No. 54-186) be, and they hereby are, consolidated, and that all of the evidence adduced in the pending consolidated proceedings shall be incorporated in and deemed part of the record in the proceeding on the instant plan, without prejudice, however, to the Commission's right, upon its own motion or the motion of any interested party, to strike such portions of the record in the pending consolidated proceedings as may be deemed irrelevant to the issues raised with respect to the proposed plan, or to the Commission's right to separate, either for hearing, in whole or in part, or for determination, in whole or in part, any issues or questions herein set forth or which may arise in these proceedings, to separate any of the proceedings consolidated herein, or to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved.

It is further ordered, That a public hearing in the consolidated proceeding be held under the applicable provisions of the act and the rules and regulations promulgated thereunder at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D. C., on the 27th day of March 1951. On that date the hearing room clerk in Room 193 will advise as to the room in which the hearing will be held. In the event that amendments to the Plan are filed during the course of said proceedings, no notice of such amendments need be given unless specifically ordered by the Commission. Any person desiring to be heard in connection with this consolidated proceeding or proposing to intervene herein shall file with the Secretary of the Commission on or before March 20, 1951, his written request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Hearing Officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the Plan and that, on the basis thereof, the following matters and questions are presented for consideration by the Commission, in addition to those stated in the Commission's Notice and Order dated February 9, 1949, Holding Company Act Release No. 8842, without prejudice to the presentation of additional matters and questions upon further examination:

1. Whether the Plan, as submitted or as it may hereafter be modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

2. Whether the Plan achieves the statutory requirements with respect to corporate simplification of the Arkansas-Natural system and with respect to fair and equitable distribution of voting power among the security holders of Arkansas-Natural.

3. Whether the proposal to treat Cities' security holdings in Arkansas-Natural on the same basis as the holdings of public security holders is fair and equitable, and whether facts or circumstances exist which would support the subordination of the interests of Cities or of any other stockholder or group of stockholders in Arkansas-Natural to the interests of other security holders of Arkansas-Natural.

4. Whether facts or circumstances exist which would support the assertion by Arkansas-Natural of claims against Cities or against any other stockholder or group of stockholders of Arkansas-Natural.

5. Whether it is appropriate for Cities to acquire and retain the new Preferred Stock of Arkansas-Natural which Cities would be entitled to receive under the Plan in view of the fact that, under the Plan, Cities would also be entitled to receive a substantial amount of the new Common Stock of Arkansas-Natural.

6. Whether the Plan is appropriate in the light of the Commission's Orders issued pursuant to section 11 (b) (1) of the act dated May 5, 1944, and October 12, 1944, and particularly whether the Plan should provide for the concurrent disposition by Cities of the Common Stock of Arkansas-Louisiana which it would be entitled to receive under the Plan.

7. Generally, whether the transactions proposed in the Plan are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and of the rules and regulations thereunder, particularly with respect to the following proposals:

(a) The property transfers between Arkansas-Louisiana and Arkansas-Fuel,

(b) The issuance by Arkansas-Natural of new Preferred Stock and the terms and conditions under which said new Preferred Stock is to be issued and exchanged for its outstanding Preferred Stock,

(c) The terms and conditions with respect to the reclassification of the common stock of Arkansas-Louisiana and the Class A and Common Stocks of Arkansas-Natural,

(d) The issuance of First Mortgage Bonds by Arkansas-Louisiana.

8. Whether the proposed accounting entries are appropriate in the light of the requirements of the act, particularly section 15 (f) thereof, and whether such entries are in accordance with sound accounting principles and the requirements of the applicable systems of accounts.

9. Whether, and in what manner, the Plan should be modified or terms and conditions imposed to assure adequate protection to the public interest and the interests of investors and consumers and to assure compliance with all applicable provisions of the act and rules and regulations thereunder.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That notice of said hearing be given to Arkansas-Natural, to Cities and to all persons previously granted intervention or participation in the pending consolidated proceedings by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That Arkansas-Natural shall give further notice of said hearing to all of its security holders (in so far as the identity of such security holders is known or available to it) by mailing to each of said persons, to his last known address, a copy of this Notice and Order at least 30 days prior to the date of said hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-1820; Filed, Feb. 5, 1951; 8:50 a. m.]

[File No. 70-2514]

NEW ENGLAND ELECTRIC SYSTEM ET AL.

ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of January A. D. 1951.

In the matter of New England Electric System, Athol Gas and Electric Company, Central Massachusetts Electric Company, Gardner Electric Light Company, The Spencer Gas Company, Wachusett Electric Company, Winchendon Electric Light and Power Company, Worcester Suburban Electric Company, Worcester County Electric Company, Leominster Gas Light Company, Athol Gas Company, Central Massachusetts Gas Company, Blackstone Gas Company, File No. 70-2514.

New England Electric System ("NEES"), a registered holding company, and certain of its subsidiary companies, namely, Athol Gas and Electric Company ("Athol"), Central Massachusetts Electric Company ("Central Massachusetts"), Gardner Electric Light Company ("Gardner"), The Spencer Gas Company ("Spencer"), Wachusett Electric Company ("Wachusett"), Winchendon Electric Light and Power Company ("Winchendon"), Worcester Suburban Electric Company ("Worcester Suburban"), Worcester County Electric Company ("Worcester County"), Leominster Gas Light Company (name changed to Wachusett Gas Company and referred to as "New Wachusett Gas"), Athol Gas Company ("New Athol Gas"), Central Massachusetts Gas Company ("New Central

Massachusetts Gas") and Blackstone Gas Company ("New Blackstone Gas"), having filed applications-declarations with this Commission, pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder, regarding the transfer of gas properties by Athol, Wachusett, Spencer, Worcester County and Worcester Suburban and the acquisition thereof by New Athol Gas, New Wachusett Gas, New Central Massachusetts Gas and New Blackstone Gas and thereupon, the transfer of electric properties by Athol, Central Massachusetts, Gardner, Spencer, Wachusett, Winchendon and Worcester Suburban and the acquisition thereof by Worcester County and the merger of said companies into Worcester County, and related transactions summarized as follows: (1) The disposition by NEES of its stock interests in Athol, Central Massachusetts, Spencer, Wachusett, Gardner, Winchendon and Worcester Surburban and the acquisition in exchange therefore of new securities of Worcester County, New Wachusett Gas, New Athol Gas, New Central Massachusetts Gas and New Blackstone Gas; (2) the issuance by New Wachusett Gas, New Athol Gas, New Central Massachusetts Gas and New Blackstone Gas of capital stock in the amounts of 790 shares, 1,595 shares, 13,299 shares and 418 shares (or fractional scrip), respectively, to effectuate the proposed separation of gas properties; (3) the issuance by Worcester County of 366,571 shares of additional common stock, par value $25 per share, or fractional scrip to effectuate the proposed merger of electric properties; (4) the offer by NEES to purchase shares of stock of Gardner, Winchendon and Worcester Suburban held by others than NEES (or the shares of stock or fractional scrip of Worcester County into which such shares of such companies are exchangeable); (5) the offer by NEES to purchase the fractional scrip or stock proposed to be issued by New Blackstone Gas to persons other than NEES; and (6) the proposal by NEES to enter on its books the new shares it will receive from Worcester County, New Wachusett Gas, New Athol Gas, New Central Massachusetts Gas and New Blackstone Gas in amounts the aggregate of which, namely, $21,454,372.47, will equal the aggregate of the presently recorded investments by NEES in the common stocks of the companies participating in the proposed merger and to enter on the books the shares of stock acquired from minority stockholders at the cash cost thereof;

A public hearing on these matters having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion wherein it was found that the applicable statutory standards of the act have been satisfied and that no adverse findings should be made with respect to said applications-declarations and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said applications-declarations be granted and permitted to become effective forthwith:

It is hereby ordered, That said applications-declarations be, and the same hereby are, granted and permitted to become effective, forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That a copy of the Commission's findings and opinion in this matter be transmitted to all public stockholders of Gardner, Winchendon and Worcester Suburban at the time the exchange proposals and the cash offers are submitted to such stockholders.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 51-1819; Filed, Feb. 5, 1951; 8:50 a. m.]

[File No. 70-2545]

UNITED GAS IMPROVEMENT CO. AND ALLENTOWN-BETHLEHEM GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of January A. D. 1951.

The United Gas Improvement Company ("UGI"), a registered holding company, and its subsidiary, Allentown-Bethlehem Gas Company ("Allentown"), having filed a joint application-declaration pursuant to the provisions of sections 6 (b), 9 and 10 of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-43 promulgated thereunder with respect to the issue and sale by Allentown of 30,000 shares, at par, of its common capital stock (par value $50 per share) to UGI in payment of (1) Allentown's 4 percent promissory note in the principal amount of $600,000, maturing January 31, 1951, payable to UGI, and (2) advances on open account by UGI to Allentown, to the extent of $900,000; and said issue and sale of common capital stock having been approved by order of the Pennsylvania Public Utility Commission dated January 15, 1951; and

Said joint application-declaration having been filed on December 29, 1950, and the last amendment thereto having been filed on January 23, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said joint application-declaration be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 51-1814; Filed, Feb. 5, 1951; 8:49 a. m.]

[File No. 70-2550]

LEE MOOR

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of January A. D. 1951.

Lee Moor, an affiliate of Southern Union Gas Company ("Southern"), having filed an application pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 with respect to his acquisition, directly or indirectly, of warrants entitling him to subscribe for not to exceed 21,990 shares of additional common stock to be issued by Southern pro rata to its stockholders and, through the exercise of such warrants, the acquisition, directly or indirectly, of 21,990 shares of such additional common stock at $16.00 per share; and applicant having also proposed the acquisition, directly or indirectly, of additional shares, if any, which the warrants authorize to be subscribed, subject to allotment and which are in fact allotted thereunder; and applicant having also proposed that, if desirable, he acquire as trustee all or any part of the warrants issuable to him in his individual capacity pursuant to the warrant offering by Southern, or the common stock subject to subscription pursuant to such warrants, or both such warrants and common stock; and

Said application having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the applicable requirements of the act are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the application be, and the same hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 51-1815; Filed, Feb. 5, 1951; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 16986]

M. B. H. STAAB-VAN DEN VRIJHOEF

In re: Securities owned by M. B. H. Staab-van den Vrijhoef, also known as Maria Van den Vryhoef. F-28-31107.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That M. B. H. Staab-van den Vrijhoef, also known as Maria Van den Vryhoef, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Ten (10) shares of $100 par value capital stock of American Telephone and Telegraph Company, 196 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificate number RN 34654, registered in the name of N. V. Nederlandsch Administratie-en Trustkantoor, together with all declared and unpaid dividends thereon,

b. Ten (10) shares of $10.00 par value common capital stock of General Motors Corporation, 1775 Broadway, New York 19, New York, a corporation organized under the laws of the State of Delaware, evidenced by a part of a certificate numbered D156330 for one hundred (100) shares of $10.00 par value common capital stock of said corporation, registered in the name of N. V. Amsterdamsch Administratiekantoor van Amerikaansche Waarden, issued prior to the 2 for 1 stock split effective October 3, 1950, of said corporation, together with all declared and unpaid dividends thereon,

c. Ten (10) shares of no par value common capital stock of The Proctor and Gamble Company, Gwynne Building, Cincinnati, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number NY094125, registered in the name of Broekmans Administratiekantoor N. V., together with all declared and unpaid dividends thereon, and

d. Five (5) shares of $10.00 par value common capital stock of F. W. Woolworth Company, Woolworth Building, New York 7, New York, a corporation organized under the laws of the State of New York, being a part of the one hundred (100) shares evidenced by certificate number WT/0188817, registered in the name of N. V. Amsterdamsch Administratiekantoor van Amerikaansche Waarden, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by M. B. H. Staab-van den Vrijhoef, also known as Maria Van den Vryhoef, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 8, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-1823; Filed, Feb. 5, 1951; 8:50 a. m.]

[Vesting Order 17009]

G. ISHIKAWA

In re: Bonds, personal property, and envelope and contents owned by G. Ishikawa. F-39-6557-E-1; F-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That G. Ishikawa, whose last known address is Yokohama, Japan, is a resident of Japan, and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Six (6) Tokyo Electric Light Company six percent (6 percent) First Mortgage Gold Bonds of One Thousand Dollar ($1000) face value, each, due June 12, 1953 bearing the numbers 21453, 49342, 40259, 34265, 54377, and 65876, with coupons numbered 27 to 50, both inclusive, attached, presently in the custody of Bank of America National Trust and Savings Association, Lompoc, California, in safekeeping account number 129377, together with any and all rights thereunder and thereto,

b. Two (2) City of Tokio five and one-half percent (5½ percent) Gold Bonds of One Thousand Dollar ($1000) face value, each, bearing the numbers 3131 and 9524, with coupons numbered 30 to 69, both inclusive, attached, presently in the custody of Bank of America National Trust and Savings Association, Lompoc, California, in safekeeping account number 129377, together with any and all rights thereunder and thereto

c. One (1) black silk handkerchief, presently in the custody of Bank of America National Trust and Savings Association, Lompoc, California, in safekeeping account number 129377, and

d. One (1) sealed envelope and contents thereof, presently in the custody of Bank of America National Trust and Savings Association, Lompoc, California, safekeeping parcel number 67794, together with any and all rights evidenced or represented thereby,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-1824; Filed, Feb. 5, 1951; 8:50 a. m.]

[Vesting Order 17010]

FREDERICK AND CHARLOTTE KLAEBER

In re: Debts owing to and stock and bonds owned by Frederick Klaeber, also known as Frederic Klaeber and as John Frederick Klaeber, and the personal representatives, heirs, next of kin, legatees and distributees of Charlotte Klaeber, also known as Emma A. C. Klaeber, deceased. F-28-13724; B-1; C-1; D-1; D-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frederick Klaeber, also known as Frederic Klaeber and as John Frederick Klaeber, whose last known address

is 3 Berbigstrasse, Bad Koesen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Charlotte Klaeber, also known as Emma A. C. Klaeber, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation owing to Frederick Klaeber, also known as Frederic Klaeber, and as John Frederick Klaeber, by the University of Minnesota, Minneapolis 14, Minnesota, in the amount of $708.30, as of February 6, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

b. Five (5) shares of no par value $6.00 cumulative preferred capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered 13012, registered in the name of Frederick Klaeber, together with all declared and unpaid dividends thereon, and any and all rights under a plan of retirement of the aforesaid stock, and

c. Five (5) shares of $100.00 par value 7 percent cumulative preferred capital stock of the H. W. Wilson Company, Inc., 950-972 University Avenue, New York 52, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 21, registered in the name of Dr. Frederick Klaeber, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Frederick Klaeber, also known as Frederic Klaeber and as John Frederick Klaeber, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows:

a. Two (2) United States Savings Bonds, Series G, of $600.00 aggregate face value, bearing the numbers D1-423518 for $500.00 and C2-951890 for $100.00, presently in the custody of David C. Bell Investment Company, 501 Second Avenue South, Minneapolis 2, Minnesota, together with any and all rights thereunder and thereto,

b. That certain debt or other obligation, evidenced by an unsecured note in the principal amount of $2,000.00, bearing interest at the rate of 4 percent per annum, issued by Arthur C. Barsness and presently in the custody of David C. Bell Investment Company, 501 Second Avenue South, Minneapolis 2, Minnesota, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly, the rights to possession, presentation and payment of the aforesaid note,

c. That certain debt or other obligation, evidenced by an unsecured note in the principal amount of $1,000.00, bearing interest at 4 percent per annum, issued by Earl C. Ware and presently in the custody of David C. Bell Investment Company, 501 Second Avenue South, Minneapolis 2, Minnesota, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the rights to possession, presentation and payment of the aforesaid note, and

d. That certain debt or other obligation of David C. Bell Investment Company, 501 Second Avenue South, Minneapolis 2, Minnesota, arising by reason of a cash account maintained by said company, appearing on its books and records as an account for the benefit of Frederick Klaeber and Charlotte Klaeber, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Frederick Klaeber, also known as Frederic Klaeber and as John Frederick Klaeber, and the personal representatives, heirs, next of kin, legatees and distributees of Charlotte Klaeber, also known as Emma A. C. Klaeber, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees of Charlotte Klaeber, also known as Emma A. C. Klaeber, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1825; Filed, Feb. 5, 1951; 8:51 a. m.]

[Vesting Order 17054]

PETER SANHEIN

In re: Rights of Peter Sanhein under insurance contract. File No. F-28-31080-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Peter Sanhein, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Peter Sanhein under a contract of insurance evidenced by policy No. G 6313, Certificate No. 176, issued by the Connecticut General Life Insurance Company, Hartford, Connecticut, to Jacob Sanhein, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1826; Filed, Feb. 5, 1951; 8:52 a. m.]

[Vesting Order 17058]

CARL SEIDEL ET AL.

In re: Rights of Carl Seidel et al. under insurance contract. File No. F-28-24336-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to

law, after investigation, it is hereby found:

1. That Carl Seidel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Carl Seidel, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 101,775,254, issued by the Metropolitan Life Insurance Company, New York, New York, to Carl Seidel, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Carl Seidel or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Carl Seidel, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof, and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Carl Seidel, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1827; Filed, Feb. 5, 1951; 8:52 a. m.]

[Vesting Order 17059]

OTOKICHI AND SOUZU SHIBA

In re: Rights of Otokichi Shiba and Souzu Shiba under insurance contract. File No. D-39-18644-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. Otokichi Shiba and Souzu Shiba, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9 368 628, issued by the New York Life Insurance Company, New York, New York, to Otokichi Shiba, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Otokichi Shiba or Souzu Shiba, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1828; Filed, Feb. 5, 1951; 8:52 a. m.]

[Vesting Order 17061]

HENRY STEIN

In re: Rights of father and mother, names unknown, of Henry Stein, deceased, under insurance contract. File No. F-28-3918-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the father and mother, names unknown, of Henry Stein, deceased, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, have been residents of Germany, are nationals of a designated enemy country (Germany);

2. That the disability benefits due or to become due under a contract of insurance evidenced by policy No. 5135556 A, issued by the Metropolitan Life Insurance Company, New York, New York, to Henry Stein, together with the right to demand, receive and collect said disability benefits,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the said father and mother, names unknown, of Henry Stein, deceased, be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1829; Filed, Feb. 5, 1951; 8:53 a. m.]

[Vesting Order 17062]

HELEN STOECKLE

In re: Rights of Helen Stoeckle under insurance contract. File No. F-28-31100-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helen Stoeckle, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Helen Stoeckle under a contract of insurance evidenced by policy No. M1164317, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Helen Stoeckle, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1830; Filed, Feb. 5, 1951; 8:53 a. m.]

[Vesting Order 17066]

GUSTAV O. WACHENFELD

In re: Rights of Gustav O. Wachenfeld under insurance contract. File No. F-28-25124-H-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gustav O. Wachenfeld, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Gustav O. Wachenfeld under a contract of insurance evidenced by policy No. 16502684, issued by the John Hancock Mutual Life Insurance Company, Boston, Massachusetts, to Gustav O. Wachenfeld, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1831; Filed, Feb. 5, 1951; 8:53 a. m.]

[Vesting Order 17086]

BRUNO BRUHN

In re: Stock owned by and debt owing to Bruno Bruhn. F-28-22273-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bruno Bruhn, whose last known address is Freiburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Two Hundred (200) shares of $5.00 par value common capital stock of General Motors Corporation, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered H-114-966 and H-114-967, each for 100 shares, registered in the name of L. D. Pickering & Co., 40 Wall Street, New York, New York, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York, New York, in a blocked account in the name of N. V. Vidutrust Maatschappij voor Beheer en Belegging, Amsterdam, Holland, together with all declared and unpaid dividends thereon,

b. One Hundred (100) shares of $10.00 par value capital stock of F. W. Woolworth Company, a corporation organized under the laws of the State of New York, evidenced by certificates numbered WTF 316997, WTF 316998, WTF 316999 and WTF 317000, each for 25 shares, registered in the name of L. D. Pickering & Co., 40 Wall Street, New York, New York, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York, New York, in a blocked account in the name of N. V. Vidutrust Maatschappij voor Beheer en Belegging, Amsterdam, Holland, together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation of Bank of the Manhattan Company, 40 Wall Street, New York, New York, in the amount of $3,253.54, as of December 13, 1949, representing a portion of a blocked account in the name of N. V. Vidutrust Maatschappij voor Beheer en Belegging, Amsterdam, Holland, maintained at the aforesaid Bank of the Manhattan Company, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bruno Bruhn, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1832; Filed, Feb. 5, 1951; 8:53 a. m.]

[Vesting Order 17088]

HIDEO FUJINO

In re: Debt owing to Hideo Fujino. D-39-18729-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hideo Fujino, who there is reasonable cause to believe is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Hideo Fujino by The Aetna Casualty and Surety Company, Hartford, Connecticut, arising out of the deposit of collateral as security for an Itinerant Merchant's Bond executed by the aforesaid company on October 26, 1939, and which expired on October 26, 1940, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Hideo Fujino, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-1833; Filed, Feb. 5, 1951; 8:53 a. m.]

[Vesting Order 17105]

WILHELM LUHRIG

In re: Bank account owned by Wilhelm Luhrig. F-28-27381-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Luhrig, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Wilhelm Luhrig, by the Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a savings account, account number 23447, entitled "Wilhelm Luhrig", maintained at the branch office of the aforesaid bank located at Cristobal, Canal Zone, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-1834; Filed, Feb. 5, 1951; 8:53 a. m.]

[Vesting Order 17109]

NEDERLANDSCHE CREDIETVERZEKERING MAATSCHAPPIJ N. V.

In re: Debt owing to Nederlandsche Credietverzekering Maatschappij N. V. F-49-1329.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dresdner Bank, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the Handelstrust West N. V., is a corporation organized under the laws of The Netherlands whose principal place of business is located in Amsterdam, The Netherlands, and is or since the effective date of Executive Order 8389, as amended, has been controlled by, or the stock of which is or has been owned or controlled directly or indirectly by the aforesaid Dresdner Bank, and is a national of a designated enemy country (Germany);

3. That Hermes Kreditversicherungs, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

4. That Munchner Ruckversicherungsgesellschaft, also known as Muenchener Rueckversicherungs-Gesellschaft, and as Munchener, the last known address of which is Muenchen, Germany, is a corporation, partnership, association or other business organization organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

5. That Alianz Versicherungs A. G., also known as Allianz Versicherungs, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

6. That Nederlandsche Credietverzekering Maatschappij N. V. is a corporation organized under the laws of The Netherlands, whose principal place of business is located in Amsterdam, The Netherlands, and is or since the effective date of Executive Order 8389, as amended, has been controlled by, or a substantial part of the stock of which is or has been owned or controlled directly or indirectly by the aforesaid Dresdner Bank, Handelstrust West N. V., Hermes Kreditversicherungs, Munchner Ruckversicherungsgesellschaft, also known as Muenchener Rueckversicherungs-Gesellschaft, and as Munchener, and Alianz Versicherungs A. G., also known as Allianz Versicherungs, and is a national of a designated enemy country (Germany);

7. That the property described as follows: That certain debt or other obligation of the Irving Trust Company, 1 Wall Street, New York 5, New York, in the amount of $38,690.09, as of November 1, 1949, representing funds on deposit in a blocked account in the name of Amsterdamsche Bank N. V., Amsterdam, The Netherlands, maintained with the aforesaid company, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Nederlandsche Credietverzekering Maatschappij N. V., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

8. That Nederlandsche Credietverzekering Maatschappij N. V. is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

9. That to the extent that the persons named in subparagraphs 1, 2, 3, 4, 5 and 6 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1836; Filed, Feb. 5, 1951; 8:54 a. m.]

[Vesting Order 17106]

GAULT MACGOWAN

In re: Bank account owned by Gault MacGowan. F-28-29861.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gault MacGowan, whose last known address is 9 "A" Sophienstrasse, Heidelberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Gault MacGowan, by Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a current account, entitled Gault MacGowan, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1835; Filed, Feb. 5, 1951; 8:54 a. m.]

[Vesting Order 17111]

N. V. STAALPRODUCTEN HANDEL EN AGENTUREN MIJ PROSTEEL

In re: Debt owing to N. V. Staalproducten Handel en Agenturen Mij Prosteel, Amsterdam, Holland. F-28-31095.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mitteldeutsche Stahlwerke A. G., the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That N. V. Staalproducten Handel en Agenturen Hij Prosteel, is a corporation, partnership, association or other business organization, organized under the laws of The Netherlands, whose principal place of business is located at Amsterdam, The Netherlands, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the Mitteldeutsche Stahlwerke A. G., and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, in the amount of $15,922.96 as of December 13, 1949, representing a portion of a blocked account entitled N. V. Vidutrust Maatschappij voor Beheer en Belegging Blocked Account Amsterdam, Holland, maintained at the aforesaid Bank of the Manhattan Company, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by N. V. Staalproducten Handel en Agenturen Mij, Prosteel, the aforesaid national of a designated enemy coutry (Germany);

and it is hereby determined:

4. That N. V. Staalproducten Handel en Agenturen Mij, Prosteel, is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany); and

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1837; Filed, Feb. 5, 1951; 8:54 a. m.]

[Vesting Order 17158]

HENRY JOERLING ET AL.

In re: Rights of Henry Joerling et al., under insurance contracts. Files No. F-28-24472-H-1, H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henry Joerling, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Henry Joerling, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under contracts of insurance evidenced by policies No. 72630789 and 72630790, issued by the Metropolitan Life Insurance Company, New York, New York, to Henry Joerling, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Henry Joerling or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Henry Joerling, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Henry Joerling, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1840; Filed, Feb. 5, 1951; 8:55 a. m.]

[Vesting Order 17207]

KNOLL A. G.

In re: Debt owing to and merchandise owned by Knoll A. G. F-28-5345.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Knoll A. G., the last known address of which is Ludwigshafen am Rhine, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Ludwigshafen am Rhine, Germany and is a national of a designated enemy country (Germany).

2. That the property described as follows:

a. That certain debt or other obligations of Francisco Garraton, S/C, Ponce de Leon 1608, Santurce, Puerto Rico, representing an account payable on the books of Francisco Garraton, for merchandise received from Knoll A. G., together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain merchandise consisting of pharmaceuticals owned by Knoll A. G., and presently in the custody of Francisco Garraton, S/C, Ponce de Leon 1608, Santurce, Puerto Rico,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Knoll A. G., the aforesaid national of a designated enemy country (Germany):

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 24, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1846; Filed, Feb. 5, 1951; 8:56 a. m.]

[Vesting Order 17114]

FRANZISKA RAPP

In re: Bank account owned by Franziska Rapp. F-28-225.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franziska Rapp, whose last known address is 24 Platanen Street, Weisbaden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the Greenwich Savings Bank, Broadway and 6th Avenue, at 36th Street, New York, New York, arising out of a savings account, account number 863186, entitled "Charles Rapp in trust for Franziska Rapp", maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Franziska Rapp, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1838; Filed, Feb. 5, 1951; 8:54 a. m.]

[Vesting Order 17151]

ARTHUR DITTMANN

In re: Rights of Arthur Dittmann under insurance contracts. File No. D-28-11569-H-1-2-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Arthur Dittmann whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Arthur Dittmann under contracts of insurance evidenced by Policies Numbered 66938700, 66938701 and 80604387 issued by The Prudential Insurance Company of America, Newark, New Jersey, to Arthur Dittmann, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1839; Filed, Feb. 5, 1951; 8:55 a. m.]

[Dissolution order 93]

H. F. RITTER & CO., INC.

Whereas, by Vesting Order No. 1592, dated June 3, 1943 (8 F. R. 10678, July 31, 1943) there were vested 10 of the 20 issued and outstanding shares of no par value common stock of H. F. Ritter & Company, Inc., a New York corporation; and by said Vesting Order there were undertaken the direction, management, supervision and control of the said H. F. Ritter & Company, Inc.; and

Whereas, the remaining 10 shares of issued and outstanding capital stock are owned by a citizen of the United States, to wit: Herbert F. Ritter; and

Whereas, H. F. Ritter & Company, Inc., has been substantially liquidated;

Now, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid; and

2. Finding that the claims of the Attorney General of the United States for moneys advanced or services rendered to or on behalf of the corporation have been satisfied; and

3. Finding that the known assets of said corporation consist of cash in the amount of $9,720.31 and three outstanding receivables in the total amount of $33,597.13 owed by Herbert F. Ritter, consisting of a note due from Herbert F. Ritter in the amount of $3,017.14 and an account receivable due from Herbert F. Ritter in the amount of $13,042.77 and an account receivable due from H. F. Ritter Manufacturing Company, a sole proprietorship owned by Herbert F. Ritter, in the amount of $17,537.22; and

4. Having determined that it is in the national interest of the United States that said corporation be dissolved, and that its assets be distributed, and a Certificate of Dissolution having been issued by the Secretary of State of New York, upon application of the Attorney General of the United States and Herbert F. Ritter, holders of all of the capital stock of said corporation:

Hereby orders, That officers and directors of H. F. Ritter & Company, Inc. (to wit: Herbert F. Ritter, President-Treasurer and Director; John Gordon West, Vice-President; Harry V. Pinkham, Secretary; Thaddeus H. Mitchell and Robert Kramer, Directors, and their successors, or any of them) continue the proceedings for the dissolution of H. F. Ritter & Company, Inc.; and

Further orders, That the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of the said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against the said corporation; and

(c) They shall then pay over, transfer, assign and distribute to the Attorney General of the United States all remaining cash of said corporation and his proportionate share of the accounts receivable and note owing by Herbert F. Ritter to said corporation, which would equal the difference between $16,798.56 (i. e., one-half of the amount of said indebtednesses) and one-half of the cash distributed to the Attorney General; and

(d) They shall then distribute to Herbert F. Ritter his proportionate share of the assets of said corporation by execution of a release of the balance of his indebtedness to said corporation, i. e., that portion not assigned to the Attorney General; and

(e) They shall then make a general assignment to the Attorney General of the United States of all other assets of the corporation, including any after acquired assets, the same to be held by the Attorney General of the United States for the benefit of himself and Herbert F. Ritter and the proceeds derived from liquidation of any such assets to be divided equally between the Attorney General of the United States and Herbert F. Ritter; however all amounts payable to Herbert F. Ritter shall be first applied to the extent necessary to satisfy the indebtedness of Herbert F. Ritter assigned to the Attorney General in accordance with paragraph (c) above; and

Further orders, That nothing herein set forth shall be construed as prejudicing the rights, under the Trading With the Enemy Act, as amended, of any person who may have a claim against said corporation to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States hereunder: *Provided however*, That nothing herein contained shall be construed as creating additional rights in such person: *Provided further*, That any such claim against said corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and

Further orders, That all actions taken and acts done by the said officers and directors of H. F. Ritter & Company, Inc., pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading With the Enemy Act, as amended, and the acquittance and exculpation provided therein.

Executed at Washington, D. C., this 31st day of January 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-1854; Filed, Feb. 5, 1951; 8:58 a. m.]

[Vesting Order 17159]

TAI AND FUYONOSUKE KANAZAWE

In re: Rights of Tai Kanazawe and Fuyonosuke Kanazawe under an insurance contract. File No. F-39-4413-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tai Kanazawe and Fuyonosuke Kanazawe, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 7 620 329, issued by the New York Life Insurance Company, New York, New York, to Tai Kanazawe, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Tai Kanazawe or Fuyonosuke Kanazawe, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1841; Filed, Feb. 5, 1951; 8:55 a. m.]

[Vesting Order 17164]

FRANC AND KUNEGUDE LANG

In re: Rights of Franc Lang and Kunegude Lang under an insurance contract. File No. D-28-11497-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franc Lang and Kunegude Lang, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to be-

come due under a contract of insurance evidenced by Policy No. 98343A, Certificate No. 277, issued by the Travelers Insurance Company, Hartford, Connecticut, to Carl Lang, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1842; Filed, Feb. 5, 1951; 8:55 a. m.]

[Vesting Order 17166]

MIKA AND TAKICHI MANO

In re: Rights of Mika Mano and Takichi Mano under an insurance contract. File No. F-39-4443-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mika Mano and Takichi Mano, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 7 778 777 issued by the New York Life Insurance Company, New York, New York, to Mika Mano, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Mika Mano or Takichi Mano, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1843; Filed, Feb. 5, 1951; 8:55 a. m.]

[Vesting Order 17175]

FRITZ REHER (REHR)

In re: Estate of Fritz Reher (Rehr), deceased. File D-28-12933 E. T. sec. 17083.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Auguste (Agusta) Schnoor, Karl (Carl) Stolt, Frieda Sumofsky and Maria Faber, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Fritz Reher (Rehr), deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by F. A. Martin, Executor, acting under the judicial supervision of the District Court of Muscatine County, State of Iowa.

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1844; Filed, Feb. 5, 1951; 8:55 a. m.]

[Vesting Order 17225]

JULIUS MARX

In re: Trust under will of Julius Marx, deceased. File No. D-28-10513-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That (Mrs.) Hildegard Schlicke, nee Hoeft, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Jenny Hoeft, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under paragraph sixth of the will of Julius Marx, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Victor E. Whitlock, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Jenny Hoeft, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 24, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1848; Filed, Feb. 5, 1951; 8:56 a. m.]

[Vesting Order 16313, Amdt.]

MESSRS. HELM BROS. LTD.

In re: Bonds owned by and debt owing to Messrs. Helm Bros. Ltd., also known as Helm Bros. Ltd. F-39-419-A-1.

Vesting Order 16313, dated December 8, 1950, is hereby amended as follows and not otherwise: By deleting from Exhibit A, attached to and by reference made a part of the aforesaid Vesting Order 16313, "Government of the Dominion of Canada Gold Bonds 4 per cent, due 1960" and the bond numbers and face values describing such bonds, and substituting theerfor the following:

Description of issue	Bond Nos.	Face value
U. S. Treasury 2½ percent bonds of 1967-72 due Dec. 15, 1972.	119452	$5,000
	162930	1,000
	226146	1,000
	448044	1,000
	10745	1,000
	396444	1,000
	606602	1,000
	338944	1,000

All other provisions of said Vesting Order 16313 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1852; Filed, Feb. 5, 1951; 8:57 a. m.]

[Vesting Order 17215]

TOMIZO TANIGAWA

In re: Bank account owned by Tomizo Tanigawa. F-39-6859.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tomizo Tanigawa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Tomizo Tanigawa, by Bishop National Bank of Hawaii, at Honolulu, Honolulu 1, Hawaii, arising out of a dormant commercial account in the name of Tomizo Tanigawa, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 24, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-1847; Filed, Feb. 5, 1951; 8:56 a. m.]

[Vesting Order CE 488]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN A NEW YORK COURT

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6.

Executed at Washington, D. C., on January 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		Item 1	
Joachim Friedrich Schultze.	Germany	Empire Trust Co., as trustee u/d of trust made by Johanna Goldschmidt, dated June 27, 1929, vs. Johannes Arthur Goldschmidt, et al., Supreme Court, New York County, N. Y.	$301.00

[F. R. Doc. 51-1853; Filed, Feb. 5, 1951; 8:58 a. m.]